

File: Jensen Road

July 19, 2004

s22

Re: Jensen Road

This will acknowledge your letter of June 29, 2004 regarding Jensen Road beach access and our recent on-site meeting.

As discussed, I am of the view that permit 17658 was not cancelled. However, I would like to modify the 3 metre path to a 1 metre path. The path should be constructed with minimal disturbance to vegetation and taking into consideration the topography. If you wish to discuss the location of the path, I would be happy to meet with you to discuss.

Regarding the issue of a dock, we are not prepared to grant permission to have the dock attached to our right-of-way.

Thank you for taking the time to meet with me and I hope this helps resolve the issue.

If I can be of further assistance, Please feel free to contact me at (250) 952-4491.

Yours truly,



Bob Webb
District Development

/clb

Ministry of
Transportation

South Coast Region

Mailing Address:
240-4460 Chatterton Way
Victoria, British Columbia
V8X 5J2

Site Address:
Victoria, British Columbia
Telephone: 952-4515
Facsimile: 952-4508

Web Address:
www.gov.bc.ca/tran

July 19, 2004

s22

Re: Jensen Road

This will acknowledge your letter dated June 30, 2004 regarding Jensen Road beach access.

I have permit 17658 to see if it was cancelled and I have concluded the permit was not cancelled. As a result, I am working with the permit holders, s22 to amend the permit.

We are looking at amending the 3 metre path to a maximum of 1 metre. The path is mostly in place and would require minimal vegetation disturbance to access the water. No trees are to be removed.

With respect to the dock, we have advised s22 that we will not permit a dock to be anchored to the road right-of-way.

I hope this clarifies the situation and if you have any further questions please feel free to contact me at (250) 952-4491.

Yours truly,



Bob Webb
District Development

/clb

Ministry of
Transportation South Coast Region

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www.gov.bc.ca/tran

July 16/09

Called

s22

—

—————

Told s22 situation.

- 1m walkway
- no deck.

Webb, Bob TRAN:EX

From: Leibel, Gary TRAN:EX
Sent: Wednesday, June 30, 2004 10:15 AM
To: Webb, Bob TRAN:EX
Subject: FW: Public Access - Shawnigan Lake at Jensen Road

For discussion

Gary

-----Original Message-----

From: s22
Sent: Wednesday, June 30, 2004 9:49 AM
To: Leibel, Gary TRAN:EX
Subject: Fw: Public Access - Shawnigan Lake at Jensen Road

Gary;

Rick Spencer -(Area Director-Shawnigan Lake) has asked me to contact you regarding this issue. It is a growing controversy.

Bob Webb is aware of this matter and Ross Deveau has attended the site.

----- Original Message -----

From: s22
To: rspencer@island.net
Sent: Tuesday, June 29, 2004 9:34 AM
Subject: Fw: Public Access - Shawnigan Lake at Jensen Road

Rick Spencer;

There is a growing controversy over a dock that has been built with an intention to anchor it to the bottom of Shawnigan Lake at a designated public access site. Access to the dock will be gained by clearing the natural vegetation that currently exists on the closed portion of Jensen Road. Jensen Road is located between the residential properties situated at 1905 and 1917 West Shawnigan Lake Road.

Ministry of Transportation has advised that permit #17658 issued in June 1998 to s22 has been CANCELLED. The permit allowed for a 3 metre foot path to be cleared from Jensen Road to the natural boundary of Shawnigan Lake. Current information from the ministry requires the authorities to be immediately contacted if there is any disturbance to the existing natural vegetation located on the Jensen Road site s22 intends to proceed as planned.

- At this location there is a steep embankment on the shoreline of the lake. The embankment is overgrown with natural vegetation.
- Clearing the path will require the existing natural vegetation to be disturbed or removed.
- There is a risk that the family of nesting mink could be disturbed or injured.
- There is a risk that the fish habitat could be disturbed or damaged.
- There is a risk of accident or injury to persons accessing the dock from (the public access on) Jensen Road.
- There is a risk that this "public" dock will become an unsupervised party location.
- There is a risk of noise and litter pollution.
- There are no public washrooms at this location.
- There is a safety risk related to parking on the street at this location.

s22

s22

I am not in favour of a dock being

2004-07-14

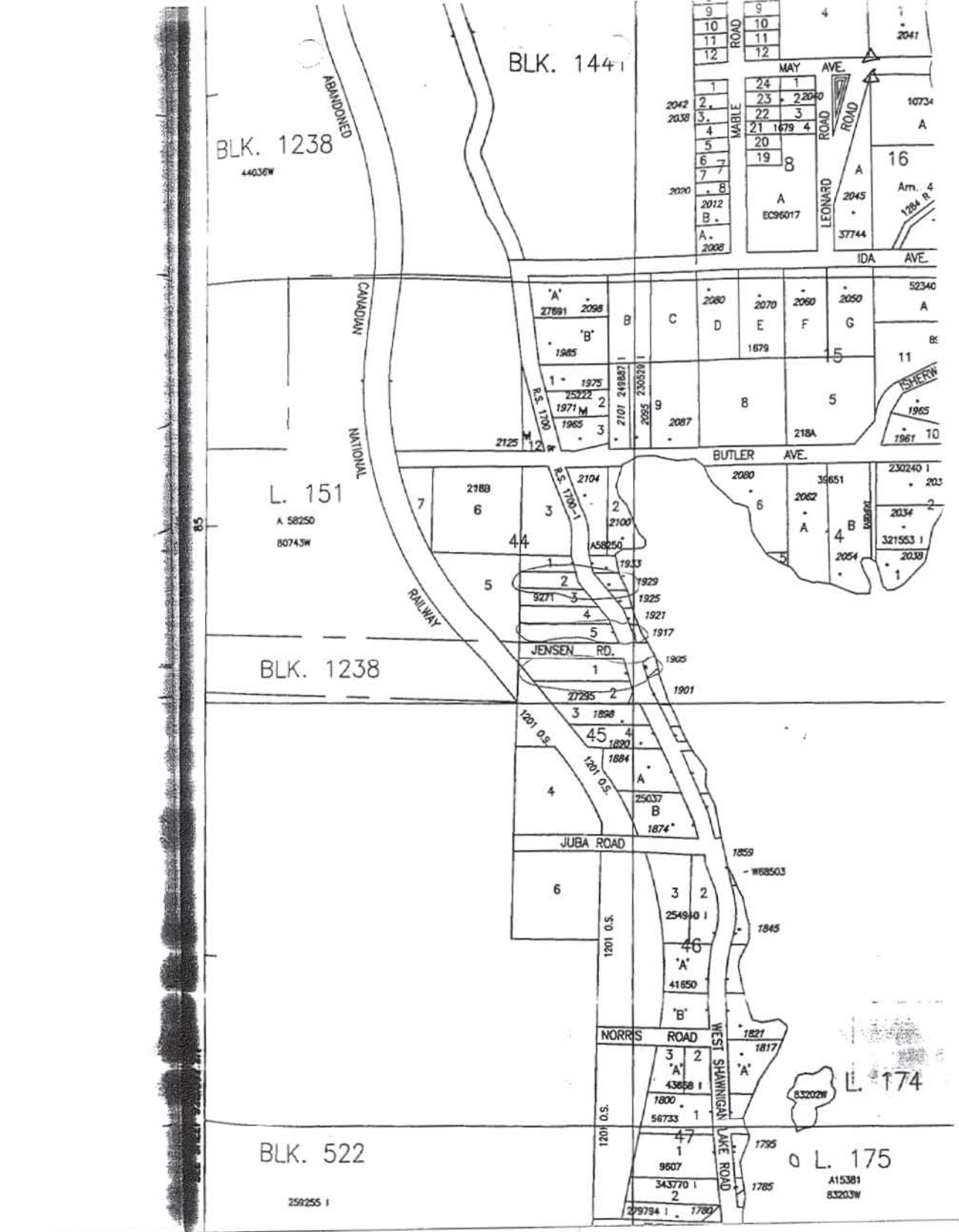
located on Shawnigan Lake with public access from Jensen Road.

Please contact me to discuss what further action is required from me to register my objection to this pending development on the closed portion of Jensen Road.

Regards,

s22

2004-07-14



June 30, 2004

Bob Webb
District Technician
Ministry of Transportation
Saanich Area Office
240- 4460 Chatterton Way, Victoria BC, V8X 5J2

Dear Bob Webb;

I am writing today to express my appreciation for

S22

I first met Ross on May 27, 2004, when he attended a site on West Shawnigan Lake Road that has recently become the subject of a growing controversy over access to the lake. My attached letter of May 25, 2004 brought the issue to his attention.

The controversy is over a dock that has been built with an intention to anchor it to the bottom of Shawnigan Lake at a designated public access site. Access to the dock will be gained by clearing the natural vegetation that currently exists next to the closed portion of Jensen Road. Jensen Road is located between the residential properties situated at 1905 and 1917 West Shawnigan Lake Road.

My understanding is that the Ministry of Transportation has cancelled permit #17658 issued in June 1998 to s22 The permit allowed for a 3 metre foot path to be cleared from Jensen Road to the natural boundary of Shawnigan Lake. Current information from the ministry will require the authorities to be immediately contacted if there is any disturbance to the existing natural vegetation located on the Jensen Road site.

S22

S22

s22

I am
not in favour of a dock being located on Shawnigan Lake with public access from Jensen Road.

S22

Regards

s22

s22



May 25, 2004

Ross Deveau
District Development Technician
Ministry of Transportation
Highways Department / Saanich Area Office
240 – 4460 Chatterton Way, Victoria BC, V8X 5J2

Dear Ross Deveau;

Re: Permit # 17658 – West Shawnigan Lake Road at Jensen Road

Please consider this letter as documentation in protest of the activities described in Permit #17658. Permission To Construct Works Within Crown Land was issued to s22 on June 5, 1998.

The permit recipients have current plans to anchor a dock to the lake bottom. Access to the dock will be required from the shore via (the fire access on) Jensen Road. Activities and festivities on the dock and in the lake will vary and could include power boating.

- The permit allows for a 3 metre foot path to be cleared from Jensen Road to the natural boundary of Shawnigan Lake.
- At this location there is a steep embankment on the shoreline of the lake. The embankment is overgrown with natural vegetation.
- Clearing the path will require the existing natural vegetation to be disturbed or removed.
- There is a risk that the family of nesting mink could be disturbed or injured.
- There is a risk that the fish habitat could be disturbed or damaged.
- There is a risk of accident or injury to persons accessing the dock from (the fire access on) Jensen Road.
- There is a risk that this "public" dock will become an unsupervised party location.
- There is a risk of noise and litter pollution.
- There are no public washrooms at this location.
- There is a safety risk related to parking on the street at this location.

s22

s22

I am not in favour

of a dock being located on Shawnigan Lake with public access from Jensen Road.

Please contact me to discuss what further action is required from me to register my objection to this pending development on the closed portion of Jensen Road.

Regards,

s22

cc: Cowichan Valley Regional District and
Ministry of Environment

Ministry of Transportation and Highways
Saanich Area Office
Suite 240
4460 Chatterton Way
Victoria, B.C.
V8X-5J7

June 29, 2004

Attention: Bob Webb;

I am writing in regards to a problem that has developed regarding

S22

S22

s22 When we explained all of this to Dave Paris he was not in agreement with what we were being told by Ross Devoe, s22

s22 We are more than happy to meet with you in person, and we hope to resolve this situation soon. s22

s22

Thank you for taking the time to consider our side of this issue and I will wait to here from you.

Sincerely,

s22

15934

Plan or Map within referred to *L.W.S.*

MALAHAT DISTRICT

Frank Le Roy

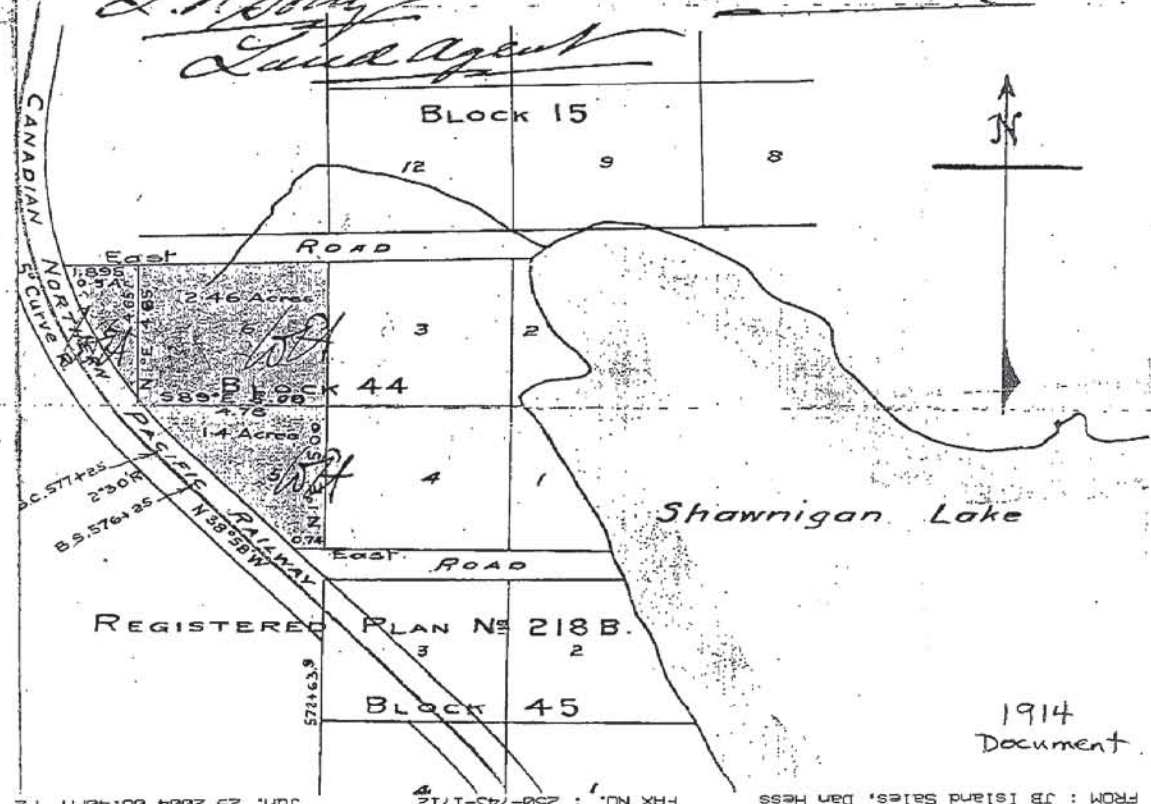
Fractional Lots 5, 6 and 7 Block 44

Shawnigan Lake Suburban Lots, Addition No 2

4.36 Acres More or less

Scale 4 Chains = 1 Inch

with a view to the Railway Cont. Road. Correct
L.W.S.
Land Agent
Quinn, O. H. 150 Rts. B.C.H.



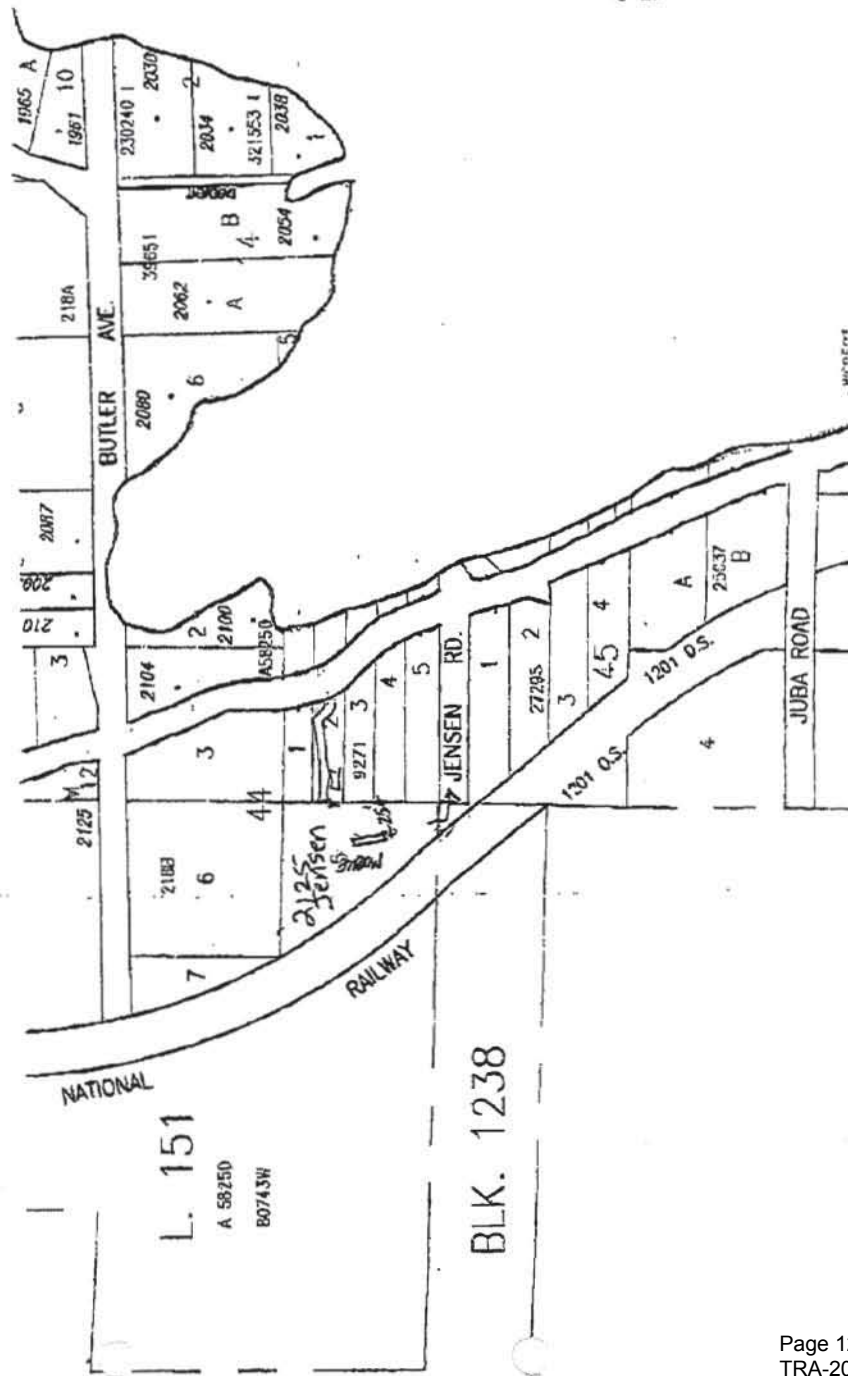
1914
Document

FROM : JB Island Sales, Dan Hess FAX NO. : 250-743-1712 Jun. 29 2004 06:40PM P2

S22

FROM

S22





Province of
British Columbia

Ministry of
Transportation
and Highways

X-REF 10333

Permit No. 10328
Highway District S. Island
File No. _____

PERMISSION TO CONSTRUCT, USE, AND MAINTAIN ACCESS TO A PROVINCIAL HIGHWAY

The works comprising of one 6 metre access from Jensen Road to serve Lot 1,
Block 45, Malahat District, Plan 27295 in accordance with sketch and application
submitted by Norman Hastings, received May 7, 1993. All works to be done to the
satisfaction of the District Highways Manager, Victoria, B.C.

are hereby approved insofar as they relate to the use of highway right of way, interference with public works, or other matter under the jurisdiction of the Minister of Transportation and Highways, and permission to construct, use, maintain and operate the said works is hereby granted to Norman Hastings and Virginia Bobroske

S22

The said approval and permission to construct, use and maintain the said works is, however, at all times subject to the following conditions:

1. That the construction and maintenance of the said works is carried out to the satisfaction of the Regional Director — Highways.
2. That any person appointed by the Regional Director — Highways for that purpose shall have free access to all parts of the said works for the purpose of inspecting same.
3. That the construction of the said works shall be commenced on ~~before~~ the 2nd day of June 1993 and shall be prosecuted with due diligence and completed to the satisfaction of the Regional Director — Highways on or before the 2nd day of October 1993, or this permit is void.
4. That the safety, economy, and convenience of the travelling public must at all times be recognized and all traffic control must be undertaken by the permittee to the satisfaction of the Regional Director — Highways.
5. That where the said works are in the proximity of any bridge, culvert, ditch or other existing work, such work shall be properly maintained and supported in such manner as not to interfere with its proper function, and on the completion of the said works any bridge, culvert, ditch or other existing work interfered with shall be completely restored to its original condition.
6. That the permittee shall at all times accept full responsibility for any accident that may occur or damage that may be done to any person or property whatsoever caused directly or indirectly by the said works, and shall save harmless and keep indemnified the Crown from all claims and demands whatsoever in respect of the works. That, prior to proceeding with any excavation, the permittee will be responsible for notifying any utility company whose works may be close to or affected by the installation.
7. That the permission herein granted to use and maintain the said works is only granted for such time as the land on which the said work is constructed is under the jurisdiction of the Minister of Transportation and Highways.
8. This permission shall not be deemed to vest in the permittee any right, title, or interest whatsoever in or to the lands upon which the works are constructed.
9. This permission is contingent upon the following land use Residential (single family dwelling)

Any change in land use shall render the permission void.

10. That should the proposed land use not be instituted within six months of the date of this permit or should it be instituted and subsequently discontinued for a period of 30 days, this permit shall be void.

11. This permission is granted only to the person or corporation named above, and any change in ownership to the property renders this permit void.

12. That while reasonable care will be taken on the part of the Crown to do as little damage as possible to any works authorized by this permit in the carrying-out of the construction, extension, alteration, improvement, repair, maintenance or operation of any public work adjacent thereto, the Crown and its employees accept no responsibility of any kind for such damage.

13. That, after receiving notice in writing of the intention of the Crown to construct, extend, alter, or improve any public works, the permittee shall within 30 days move or alter works authorized by this permit at his own expense to such new position or in such manner as may be necessitated by the construction, extension, alteration, or improvement, and that where such movement of access point or change of grade takes place there shall be no claim against the Crown for damages arising out of the changed access condition.

14. (a) This permit may be cancelled in the absolute discretion of the Minister of Transportation and Highways without any notice of hearing.

(b) This permit may be cancelled by the Regional Director — Highways when alternative access becomes available as a result of the construction of a frontage road or other service road.

15. Any existing access to the property not covered by a valid permit shall be removed within 90 days of the date of this permit.

16. That the access or accesses may be restricted as to allowable movements as traffic safety and flow conditions warrant, and at that time this permit may be cancelled and a new permit issued.

17. Clauses 22, 34, 40 & 43
as printed or typed overleaf on this permit, shall be deemed to apply and form part of these conditions.

Dated at #103-4475 Viewmont Ave. Victoria, B.C.
this 2nd day of June 1993

R. E. Harold

R.E. Harold, District Highways Manager
For Minister of Transportation and Highways

Page 13
TRA-2013-00344

18. This permit cancels and replaces Permit No.
19. This property shall not be connected to any other property by private roadway.
20. The access (or accesses) shall be defined to the satisfaction of the Regional Director — Highways by the erection of standard white-painted delineator posts, guard-rail, nonmountable curb, or some other substantial barrier to traffic satisfactory to the Regional Director — Highways.
21. This permit includes permission to construct channelization within the highway right of way as specified by the Regional Director — Highways, and such channelization shall be constructed at the permittee's expense and maintained and operated by the Ministry of Transportation and Highways.
22. The access (or accesses) shall be gravelled to an extent satisfactory to the Regional Director — Highways to prevent the tracking of mud and soil onto the highway surface.
23. The access (or accesses) shall be paved to the satisfaction of the Regional Director — Highways.
24. The highway shoulder between these accesses shall be paved to the satisfaction of the Regional Director — Highways.
25. The finished grade of the access (or accesses) at the ditch-line shall be 15 cm below the highway shoulder elevation.
26. The access (or accesses) shall be restricted to the following movements only

and the permittee shall construct and erect all necessary channelization, signs, and other traffic-control devices at his cost.

27. This permit is temporary and expires the day of 19
28. The permittee shall be responsible for replacing any survey monuments that may be disturbed or destroyed by construction of the works allowed by this permit. Replacement must be by a British Columbia land surveyor at the permittee's expense.
29. The access (or accesses) will only be open to traffic between the day of
and the day of each year, and when not open shall be closed with a suitable barrier and signs.
30. Before commencing construction, intimation in writing of the intention to do so must be given to the District Highways Manager at least seven days before the work is begun.
31. The access (or accesses) shall be used jointly with the access covered by Permit No., which services the property legally described as

32. The permittee shall erect a tight board fence or thick evergreen hedge so that no part of the property is visible from the highway at any point along its frontage at an eye elevation 2.5 m above highway pavement.

33. The access (or accesses) shall be constructed with culvert pipe manufactured to CSA or ASTM standards and laid at ditch invert elevation. Maintenance and periodic cleaning of this culvert is the responsibility of the permittee.

34. Any mud, soil, debris, or other foreign material tracked onto the highway from the access (or accesses) shall be removed by the permittee at his expense, at least daily, or at any time the material unduly inconveniences traffic.

35. The access (or accesses) shall be constructed of standard concrete drop curb and sidewalk crossing, to the satisfaction of the Regional Director — Highways.

36. The profile of the access (or accesses) shall not exceed% grade from the ditchline for a distance of at least metres as measured away from the highway along the centreline of the access.

37. The layout shown on permittee's drawing

is a condition of this permit and any change in layout without prior consent in writing to the Regional Director — Highways shall render this permit void.

38. Placing of speed arresters on the access (or accesses) or in the permittee's property without the prior consent in writing of the Regional Director — Highways shall render the permit void.

39. The permittee shall, at his cost, supply, erect, and maintain standard traffic control signs, as specified by the Regional Director — Highways.

40. The permittee shall provide offstreet parking in the amount of 2 spaces and turnaround.

41. This permission is subject to compliance with the conditions of approval stated in the Public Works (Canada) letter to the permittee dated

42. The layout shown on the attached drawing is a condition of this permit, and any change in layout without the prior consent in writing of the Regional Director — Highways shall render the permit void.

43. As the road is not built to Ministry of Transportation and Highways standards no maintenance will be done on the road.



PERMISSION TO CONSTRUCT WORKS WITHIN CROWN LAND

The works comprising of the construction and maintenance of a "driveway standard" access only up the right-of-way of Jensen Road to serve Lot 1, Block 45, Malahat District, Plan 27295 as shown on sketch submitted with application dated May 7, 1993. All works to be done to the satisfaction of the District Highways Manager, Victoria, B.C.

* Please note added clauses

are hereby approved in so far as they relate to the use of Crown lands, interference with public works, or other matter under the jurisdiction of the Minister of Transportation and Highways, and permission to construct, use, and maintain the said work is hereby granted to Norman Hastings and Virginia Bobroske,

The said approval and permission to construct, use, and maintain works is, however, at all times subject to the following conditions:

1. That the construction and maintenance of the said works is carried out to the satisfaction of the Regional Director, Highways.
2. That, before opening up any highway or interfering with any public work, intimation in writing of the intention to do so must be given to the District Official at least seven clear days before the work is begun.
3. That any person appointed to the Regional Director, Highways, for the purpose shall have free access to all parts of the works for the purpose of inspecting the same.
4. That the construction of the said works shall be commenced on ~~or before~~ the 2nd of June, 1993, and shall be prosecuted with due diligence and to the satisfaction of the Regional Director, Highways, and shall be completed on or before the 2nd of October, 1993.
5. (a) The highway must at all times be kept open to traffic. The roadway must be completely restored for traffic as soon as possible. At all times the permittee must safeguard the travelling public.
(b) That, unless with the consent of the Regional Director, Highways, no more than forty-five (45) metres of pipe-track or other excavation in any public highway is to be kept open at one time.
(c) All trenches and excavations shall be shored, if necessary, according to the Workers' Compensation requirements. Care shall be taken to protect adjacent property.
(d) That all excavations shall be carefully back-filled with suitable material, which is to be tamped into place, and that the permittee shall restore the surface of the road and shoulders and ditches at his own expense. All surplus material is to be removed from the Provincial Crown lands, or deposited where and as required by the District Official of the Ministry of Transportation and Highways. The permittee is financially responsible for any maintenance work required on said ditch for a period of one year. The Ministry will carry out the necessary remedial work and invoice the permittee monthly.
(e) The pipeline crossing installation is to be placed by drilling and (or) jacking in such a manner as to afford minimum grade settlement. No water jetting will be permitted. That where, in the opinion of the District Official, an excavation or opening for a pipeline crossing installation could be made which would not be detrimental to the highway or its users, permission will be granted for said works. On thoroughways, freeways, and main highways no open cuts will be allowed.
(f) That all pipelines in excess of a nominal diameter of 5 cm., whether gas, oil, water, pressure sewers, conduits, etc., shall be installed where indicated by the District Official, encased in a steel casing-pipe of sufficient strength to withstand all stresses and strains resulting from the location, such casing to extend the full width of the highway right-of-way if deemed necessary to the District Official. The ends of the casing-pipe shall be suitably sealed and, if required, properly vented above the ground with vent-pipes not less than 5 cm. in diameter, and extending not less than 1.2 metres above ground surface. Vent-pipes shall be connected 30 cm. from the ends of the casing-pipe, and the top of each vent shall be fitted with a turn-down elbow, properly screened and equipped with identification markers.
All pipelines of non-rigid material, i.e., plastic or copper, of any diameter, shall be cased, or embedded in sand.
The inside diameter of the casing-pipe shall be at least 25 per cent larger than the outside diameter of the pipeline. The casing-pipe shall be installed with an even bearing throughout its length, and in such a manner so as to prevent leakage, except through the vents.
The top of the casing-pipe, or the pipeline where casing is not required, shall be located as directed by the District Official, and shall in no case be less than 1.2 metres below the surface of the highway and not less than 60 cm below the highway ditches. Pipelines must not obstruct drainage structures or ditches or interfere with traffic on the highway or with highway maintenance.
6. That where the work for which permission is hereby granted comes in contact with any bridge, culvert, ditch, or other existing work, such existing work must be properly maintained and supported in such manner as not to interfere with its proper function during the construction of the new work, and on the completion of the new work the bridge, culvert, ditch, or other existing work interfered with shall be completely restored to its original good condition.
7. That when necessary all excavations, materials, or other obstructions are to be efficiently fenced, lit, and watched, and at all times every possible precaution is to be taken to ensure the safety of the public.
8. That the person or persons for whom these works are being constructed, or by whom these works are maintained, shall at all times accept full responsibility for any accident that may occur or damage that may be done to any person or property whatsoever caused directly or indirectly by these works, and shall save harmless and keep indemnified the Crown from all claims and demands whatsoever in respect of the works.

(OVER)

9. That the permission herein granted to use and maintain the works is only granted for such times as the land or public work in, upon, or over which the said works are constructed is under the jurisdiction of the Minister of Transportation and Highways. This permission is not to be construed as being granted for all time, and shall not be deemed to vest in the permittee any right, title, or interest whatsoever in or to the lands upon which the works are constructed. Should the lands affected at any time be included within that of an incorporated municipality or city, this permission shall become void, unless the works are on a highway duly classified as an arterial or primary highway pursuant to Part III of the *Highway Act*.

10. That after receiving notice in writing of the intention on the part of the Provincial Government to construct, extend, alter, or improve any public work, the person or persons responsible for the maintenance of the works for which permission is hereby granted shall within six weeks move or alter such work at his or their own expense to such new positions or in such manner as may be necessitated by the construction, extension, alteration, or improvement proposed to be carried out by the Provincial Government.

11. That while reasonable care will be taken on the part of the Provincial Government to do as little damage as possible to any private work in the carrying-out of the construction, extension, alterations, improvement, repair, or maintenance of any public work adjacent thereto, the Provincial Government can accept no responsibility for any kind of such damage.

12. That the permission hereby granted to construct, use, and maintain work is granted without prejudice to the provisions of the *Highway Act* and *Ministry of Highways and Public Works Act*, or other Acts governing Crown lands and public works or their use by the public.

13. That this permission shall be in force only during such time as the said works are operated and maintained by the applicants, to the entire satisfaction of the Regional Director, Highways.

14. That the Ministry will not be responsible for grade changes on accesses caused by reconstruction of any Provincial highway.

15. This permit is valid only for the specific works stated herein. Any alterations or additions must be covered by a separate permit.

16. This permit may be cancelled, at the discretion of the Minister, without recourse, should the permittee fail to comply with all the terms of the permit. Thirty days' notice will be given before cancellation.

17. When the requirements of the Ministry necessitate use of the said lands for Provincial purposes, at the discretion of the Minister, this permit may be cancelled.

18. That these works shall be identified with this permit number, namely, "H.," in a manner satisfactory to the District Official of the Ministry of Transportation and Highways.

19. Right-of-way is to be left in a neat and tidy condition.

20. Since Jensen Road is not constructed to Ministry of Transportation and Highway's Standards the Ministry will not maintain the right-of-way or access.


21. No burning of stockpiling of organic materials is allowed on the right-of-way

22. Please contact Ross Deveau of this office once the works are completed.

Ministry of Transportation and Highways

#103-4475 Viewmont Ave.

Victoria, B.C. V8Z 5K8


R.E. Harold, District Highways Manager

For Minister of Transportation and Highways

June 2nd 19 93.



~~10333~~
10333

Application for Permission to Construct Works Within Highway Right-of-Way

I (We) hereby apply for permission to construct, use, and maintain works within the limits of highway right-of-way under the jurisdiction of the Minister of Transportation and Highways, British Columbia, in accordance with the particulars, plans,* and specifications submitted herewith in triplicate. It is understood that the completion of this form constitutes an application only and that the works applied for will not be commenced until a covering permit has been issued. The proposed works consist of and are described as follows:

Description of works: DRIVEWAY ACCESS FROM

BUILT TO DRIVEWAY STANDARD

Location of works: 1905 WEST SHAWNIGAN LK. RD

to

Legal description of property to be served: LOT 1, BLOCK 45, SHAWNIGAN LAKE SUBURBAN LOTS, MALAHUT DISTRICT, PLAN 27295

S22

Drawing of section number:

Attached:

Have the necessary plans for approval been filed with the proper authorities? (See Note 2 on back)

Name of applicant (print please)

P.O. address

(Signed)

S22

(Date)

4 Aug 7/93

*See note No. 1 on back

(OVER)

NOTE No. 1

The plans submitted may be blue-prints, and shall consist of key-map, general plan, profile, and where necessary detail plans on the following scales: **Key-map**, according to size of undertaking; **general plan**, 1:5000; **profile**, horizontal 1:5000, vertical 1:250; **details**, on suitable scales. For minor undertakings, such as small water-pipes or culverts, etc., under a road, sketches will be accepted and sections and details as to dimensions, depth of cover, etc.

The plans shall supply at least the following information:

- (a) The boundaries of highway right-of-way affected;
- (b) The position of all existing public works within such boundaries and relative thereto and the name of the authority in control of same;
- (c) The position of all private works (with names of owners) within such boundaries and relative thereto. (N.B.—Where the proposed works are upon or above the ground only such private works as are upon or above the ground, or as may be interfered with under the ground, need be shown);
- (d) The proposed position within such boundaries and relative thereto which would be occupied by the works;
- (e) The details of all tanks, manholes, lamp-poles, surface boxes, bridges, culverts, retaining-walls, or other structures to be constructed and used for the support of traffic, and details showing the method to be employed in supporting any proposed work, where any public works are affected;
- (f) Full information showing exactly in what manner and to what extent it is proposed to use any land or works under the control of the Minister of Transportation and Highways.

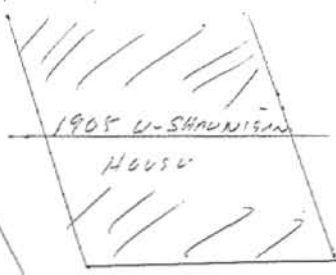
Specifications for the carrying-out of the work within the boundaries of all highway right-of-way shall also be submitted.

NOTE No. 2

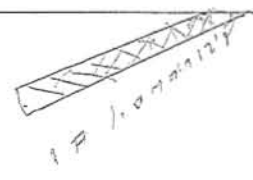
When application is made in respect of the following works, the requisite particulars, plans, and specifications must be submitted to the proper authorities before the approval of the application by the Minister of Transportation and Highways.

Works	Authority to Whom Particulars, etc., Must Be Submitted	
1. Electrical undertakings—		
(a) Telegraph and telephone lines	Inspector of Electrical Energy	501 West 12th Ave., Vancouver, B.C.
(b) Energy generated otherwise than by water-power	Inspector of Electrical Energy	VSZ 1M6
(c) Energy generated by water-power	Inspector of Electrical Energy Comptroller of Water Rights	Parliament Bldgs., Victoria, B.C.
(d) Electrical railways	Inspector of Electrical Energy Deputy Minister of Transportation and Highways	501 West 12th Ave., Vancouver, B.C. Parliament Bldgs., Victoria, B.C.
2. Steam-railways	Deputy Minister of Transportation and Highways	" "
3. Logging-railways		
4. Skid-roads	Deputy Minister of Transportation and Highways and also Chief Forester	" "
5. Sewerage and sewerage-disposal	Waste Management Branch Ministry of Environment Local Health Inspector	Regional Office Parliament Buildings, Victoria, B.C.
(a) Large systems		
(b) Small systems		
6. Water-supply for domestic purposes	Local Water Management Office or Comptroller of Water Rights	" "
7. Waterworks undertakings other than for domestic supply		
8. Works to be constructed within any municipality	Municipal Official	

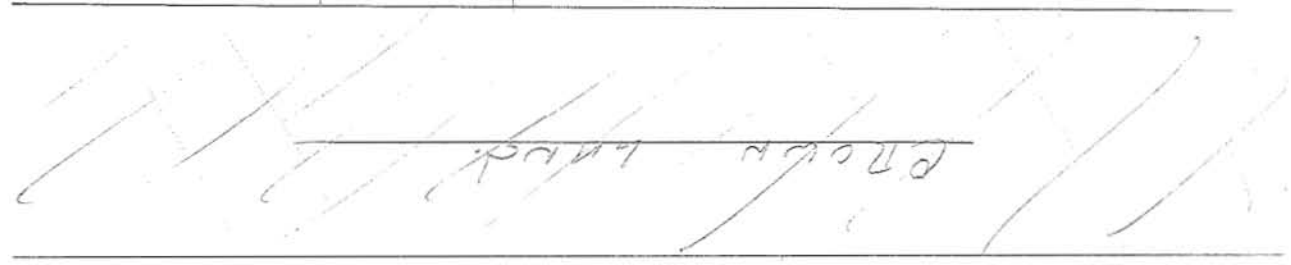
H.20 (Rev. 85/09)



WEST SHAUNIGHAN LAKE ROAD



LOT 1, BLOCK 45
PLAN 27295.





PERMISSION TO CONSTRUCT WORKS WITHIN CROWN LAND

The works comprising of the installation and maintenance of a 3 metre wide footpath on Jensen Road from West Shawnigan Lake Road to present natural boundary of Shawnigan Lake, as submitted in application made by Dan and Cindy Hess, received May 29, 1998. All works to be done to the entire satisfaction of the District Highways Manager, Victoria, BC.

are hereby approved in so far as they relate to the use of Crown lands, interference with public works, or other matter under the jurisdiction of the Minister of Transportation and Highways, and permission to construct, use, and maintain the said work is hereby granted to **Dan and Cindy Hess,**

s22

*Cancelled
see 5 too
as requested*

The said approval and permission to construct, use, and maintain works is, however, at all times subject to the following conditions:

1. That the construction and maintenance of the said works is carried out to the satisfaction of the Regional Director, Highways.
2. That, before opening up any highway or interfering with any public work, intimation in writing of the intention to do so must be given to the District Official at least seven clear days before the work is begun.
3. That any person appointed to the Regional Director, Highways, for the purpose shall have free access to all parts of the works for the purpose of inspecting the same.
4. That the construction of the said works shall be commenced on or before the _____

_____ and shall be prosecuted with due diligence and to the satisfaction of the Regional Director, Highways, and shall be completed on or before the _____

5. (a) The highway must at all times be kept open to traffic. The roadway must be completely restored for traffic as soon as possible. At all times the permittee must safeguard the traveling public.

(b) That, unless with the consent of the Regional Director, Highways, no more than forty-five (45) metres of pipe-track or other excavation in any public highway is to be kept open at one time.

(c) All trenches and excavations shall be shored, if necessary, according to the Workers' Compensation requirements. Care shall be taken to protect adjacent property.

(d) That all excavations shall be carefully back-filled with suitable material, which is to be tamped into place, and that the permittee shall restore the surface of the road and shoulders and ditches at his own expense. All surplus material is to be removed from the Provincial Crown lands, or deposited where and as required by the District Official of the Ministry of Transportation and Highways. The permittee is financially responsible for any maintenance works required on said ditch for a period of one year. The Ministry will carry out the necessary remedial work and invoice the permittee monthly.

(e) The pipeline crossing installation is to be placed by drilling and (or) jacking in such a manner as to afford minimum grade settlement. No water jetting will be permitted. That where, in the opinion of the District Official, an excavation or opening for a pipeline crossing installation could be made which would not be detrimental to the highway or its users, permission will be granted for said works. On throughways, freeways, and main highways no open cuts will be allowed.

(f) That all pipelines in excess of a nominal diameter of 5 cm., whether gas, oil, water, pressure sewers, conduits, etc., shall be installed where indicated by the District Official, encased in a steel casing-pipe or conduit-pipe of sufficient strength to withstand all stresses and strains resulting from the location, such casing to extend the full width of the highway right-of-way if deemed necessary to the District Official. The ends of the casing-pipe shall be suitably sealed and, if required, properly vented above the ground with vent-pipes not less than 5 cm. in diameter, and extending not less than 1.2 metres above ground surface. Vent-pipes shall be connected 30 cm. from the ends of the casing-pipe, and the top of each vent shall be fitted with a turn-down elbow, properly screened and equipped with identification markers.

All pipelines of non-rigid material, i.e., plastic or copper, of any diameter, shall be cased, or embedded in sand.

The inside diameter of the casing-pipe shall be at least 25 percent larger than the outside diameter of the pipeline. The casing-pipe shall be installed with an even bearing throughout its length, and in such a manner so as to prevent leakage, except through the vents.

The top of the casing-pipe, or the pipeline where casing is not required, shall be located as directed by the District Official, and shall in no case be less than 1.2 metres below the surface of the highway and not less than 60 cm below the highway ditches. Pipelines must not obstruct drainage structures or ditches or interfere with traffic on the highway or with highway maintenance.

6. That where the work for which permission is hereby granted comes in contact with any bridge, culvert, ditch, or other existing work, such existing work must be properly maintained and supported in such manner as not to interfere with its proper function during the construction of the new work, and on the completion of the new work the bridge, culvert, ditch, or other existing work interfered with shall be completely restored to its original good condition.

7. That when necessary all excavations, materials, or other obstructions are to be efficiently fenced, lit, and watched, and at all times every possible precaution is to be taken to ensure the safety of the public.

8. That the person or persons for whom these works are being constructed, or by whom these works are maintained, shall at all times accept full responsibility for any accident that may occur or damage that may be done to any person or property whatsoever caused directly or indirectly by these works, and shall save harmless and keep indemnified the Crown from all claims and demands whatsoever in respect of the works.

9. That the permission herein granted to use and maintain the works is only granted for such times as the land or public work in, upon, or over which the said works are constructed is under the jurisdiction of the Minister of Transportation and Highways. This permission is not to be construed as being granted for all time, and shall not be deemed to vest in the permittee any right, title or interest whatsoever in or to the lands upon which the works are constructed. Should the lands affected at any time be included within that of an incorporated municipality or city, this permission shall become void, unless the works are on a highway duly classified as an arterial or primary highway pursuant to Part III of the *Highway Act*.

10. That after receiving notice in writing of the intention on the part of the Provincial Government to construct, extend, alter, or improve any public work, the person or persons responsible for the maintenance of the works for which permission is hereby granted shall within six weeks move or alter such work at his or their own expense to such new positions or in such manner as may be necessitated by the construction, extension, alteration, or improvement proposed to be carried out by the Provincial Government.

11. That while reasonable care will be taken on the part of the Provincial Government to do as little damage as possible to any private work in the carrying-out of the construction, extension, alterations, improvement, repair, or maintenance of any public work adjacent thereto, the Provincial Government can accept no responsibility for any kind of such damage.

12. That the permission hereby granted to construct, use, and maintain work is granted without prejudice to the provisions of the *Highway Act* and *Ministry of Highways and Public Works Act*, or other Acts governing Crown lands and public works or their use by the public.

13. That this permission shall be in force only during such time as the said works are operated and maintained by the applicants, to the entire satisfaction of the Regional Director, Highways.

14. That the Ministry will not be responsible for grade changes on accesses caused by reconstruction of any Provincial highway.

15. This permit is valid only for the specific works stated herein. Any alternations or additions must be covered by a separate permit.

16. This permit may be canceled, at the discretion of the Minister, without recourse, should the permittee fail to comply with all the terms of the permit. Thirty days' notice will be given before cancellation.

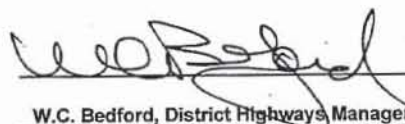
17. When the requirements of the Ministry necessitate use of the said lands for Provincial purposes, at the discretion of the Minister, this permit may be canceled.

18. That these works shall be identified with this permit number, namely _____ in a manner satisfactory to the District Official of the Ministry of Transportation and Highways.

Ministry of Transportation and Highways

#103 - 4475 Viewmont Avenue

Victoria BC V8Z 5K8



W.C. Bedford, District Highways Manager

For Minister of Transportation and Highways

June 5, 1998



APPLICATION FOR PERMISSION TO CONSTRUCT WORKS WITHIN HIGHWAY RIGHT-OF-WAY

I (We) hereby apply for permission to construct, use, and maintain works within the limits of highway right-of-way under the jurisdiction of the Minister of Transportation and Highways, British Columbia, in accordance with the particulars, plans,* and specifications submitted herewith in triplicate. It is understood that the completion of this form constitutes an application only and that the works applied for will not be commenced until a covering permit has been issued. The proposed works consist of and are described as follows:

Description of works: to clear a 3m wide footpath
on Jensen Rd from West Shewanigan Ukd
to Present Natural Boundary of Shewanigan Lake

Location of works: (Include civic address) _____

The full legal description of the property to be served is: _____

Road name(s): _____

Drawing or sketch number: _____ Attached _____

Have the necessary plans for approval been filed with the proper authorities? (See Note 2 on back) _____

Name of applicant (Print please) _____

Mailing address (Include postal code) _____

Telephone: _____

* X survey pins
clear away debris

Date May 29 1998

RECEIVED

* See note 1 on back

May 29/98 Sketch reviewed
by M. Donald (also legal
of property served.)

MAY 29 1998

MINISTRY OF TRANSPORTATION
AND HIGHWAYS
SOUTH ISLAND DISTRICT

(Over)

The personal information on this form is collected under the authority of the Highway Act. The information collected will be used to process your application for permission to construct, use and maintain works within the limits of a highway right-of-way. If you have any questions about the collection, use and disclosure of this information, contact the local Ministry of Transportation and Highways District Development Technician.

**PERMISSION TO CONSTRUCT, USE, AND MAINTAIN ACCESS
TO A PROVINCIAL HIGHWAY**

The works comprising of the construction and maintenance of one six metre access from West Shawnigan Lake Road to serve Lot 5, Shawnigan Lake Suburban Lots, Ma'ahat Land District, Plan 9271 in accordance with application and sketch submitted by Chris Chalecki, received October 2, 2000. All work to be done to the satisfaction of the District Highways Manager, Victoria, BC.

are hereby approved insofar as they relate to the use of highway right of way, interference with public works, or other matter under the jurisdiction of the Minister of Transportation and Highways, and permission to construct, use, maintain

and operate the said works is hereby granted to:
Chris Chalecki

s22

The said approval and permission to construct, use and maintain the said works is, however, at all times subject to the following conditions:

1. That the construction and maintenance of the said works is carried out to the satisfaction of the Regional Director -- Highways.
2. That any person appointed by the Regional Director - Highways for that purpose shall have free access to all parts of the said works for the purpose of inspecting same.
3. That the construction of the said works shall be commenced on or before the 29th day of March, 2001
and shall be prosecuted with due diligence and completed to the satisfaction of the Regional Director - Highways on or before the 29th day of June, 2001 or this permit is void.
4. That the safety, economy, and convenience of the travelling public must at all times be recognized and all traffic control must be undertaken by the permittee to the satisfaction of the Regional Director - Highways.
5. That where the said works are in the proximity of any bridge, culvert, ditch or other existing work, such work shall be properly maintained and supported in such manner as not to interfere with its proper function, and on the completion of the said works any bridge, culvert, ditch or other existing work interfered with shall be completely restored to its original condition.
6. That the permittee shall at all times accept full responsibility for any accident that may occur or damage that may be done to any person or property whatsoever caused directly or indirectly by the said works, and shall save harmless and keep indemnified the Crown from all claims and demands whatsoever in respect of the works. That, prior to proceeding with any excavation, the permittee will be responsible for notifying any utility company whose works may be close to or affected by the installation.
7. That the permission herein granted to use and maintain the said works is only granted for such time as the land on which the said work is constructed is under the jurisdiction of the Minister of Transportation and Highways.
8. This permission shall not be deemed to vest in the permittee any right, title, or interest whatsoever in or to the lands upon which the works are constructed.
9. This permission is contingent upon the following land use: Single Family Dwelling
Any change in land use shall render the permission void.
10. That should the proposed land use not be instituted within six months of the date of this permit or should it be instituted and subsequently discontinued for a period of 30 days, this permit shall be void.

11. This permission is granted only to the person or corporation named above, and any change in ownership to the property renders this permit void.
12. That while reasonable care will be taken on the part of the Crown to do as little damage as possible to any works authorized by this permit in the carrying-out of the construction, extension, alteration, improvement, repair, maintenance or operation of any public work adjacent thereto, the Crown and its employees accept no responsibility of any kind for such damage.
13. That, after receiving notice in writing of the intention of the Crown to construct, extend, alter, or improve any public works, the permittee shall within 30 days move or alter works authorized by this permit at his own expense to such new position or in such manner as may be necessitated by the construction, extension, alteration, or improvement, and that where such movement of access point or change of grade takes place there shall be no claim against the Crown for damages arising out of the changed access condition.
14. (a) This permit may be cancelled in the absolute discretion of the Minister of Transportation and Highways without any notice of hearing.
(b) This permit may be cancelled by the Regional Director - Highways when alternative access becomes available as a result of the construction of a frontage road or other service road.
15. Any existing access to the property not covered by a valid permit shall be removed within 90 days of the date of this permit.
16. That the access or accesses may be restricted as to allowable movements as traffic safety and flow conditions warrant, and at that time this permit may be cancelled and a new permit issued.
17. Clauses 22, 28, 34, and 40
as printed or typed overleaf on this permit, shall be deemed to apply and form part of these conditions.
18. This permit cancels and replaces Permit No. _____
19. This property shall not be connected to any other property by private roadway.
20. The access (or accesses) shall be defined to the satisfaction of the Regional Director - Highways by the erection of standard white-painted delineator posts, guard-rail, nonmountable curb, or some other substantial barrier to traffic satisfactory to the Regional Director - Highways.
21. This permit includes permission to construct channelization within the highway right of way as specified by the Regional Director - Highways, and such channelization shall be constructed at the permittee's expense and maintained and operated by the Ministry of Transportation and Highways.
22. The access (or accesses) shall be gravelled to an extent satisfactory to the Regional Director - Highways to prevent the tracking of mud and soil onto the highway surface.
23. The access (or accesses) shall be paved to the satisfaction of the Regional Director - Highways.
24. The highway shoulder between these accesses shall be paved to the satisfaction of the Regional Director - Highways.
25. The finished grade of the access (or accesses) at the ditch-line shall be 15 cm below the highway shoulder elevation.
26. The access (or accesses) shall be restricted to the following movements only _____
and the permittee shall construct and erect all necessary channelization, signs, and other traffic-control devices at his cost.
27. This permit is temporary and expires the _____

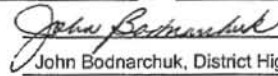
28. The permittee shall be responsible for replacing any survey monuments that may be disturbed or destroyed by construction of the works allowed by this permit. Replacement must be by a British Columbia land surveyor at the permittee's expense.
29. The access (or accesses) will only be open to traffic between the _____
and the _____ each year, and when not open shall be closed with a suitable
barrier and signs.
30. Before commencing construction, intimation in writing of the intention to do so must be given to the District Highways Manager at least seven days before the work is begun.
31. The access (or accesses) shall be used jointly with the access covered by Permit No. _____ which
serves the property legally described as _____

32. The permittee shall erect a tight board fence or thick evergreen hedge so that no part of the property is visible from the highway at any point along its frontage at an eye elevation 2.5 m above highway pavement.
33. The access (or accesses) shall be constructed with _____
_____ culvert pipe manufactured to CSA or ASTM standards and
laid at ditch invert elevation. Maintenance and periodic cleaning of this culvert is the responsibility of the permittee.
34. Any mud, soil, debris, or other foreign material tracked onto the highway from the access (or accesses) shall be removed by the permittee at his expense, at least daily, or at any time the material unduly inconveniences traffic.
35. The access (or accesses) shall be constructed of standard concrete drop curb and sidewalk crossing, to the satisfaction of the Regional Director - Highways.
36. The profile of the access (or accesses) shall not exceed _____ grade from the ditchline for a distance
of at least _____ as measured away from the highway along the centreline of the access.
37. The layout shown on permittee's drawing _____
_____ is a condition of this permit and any change in layout without prior consent in writing to the Regional Director - Highways shall render this permit void.
38. Placing of speed arresters on the access (or accesses) or in the permittee's property without the prior consent in writing of the Regional Director - Highways shall render the permit void.
39. The permittee shall, at his cost, supply, erect, and maintain standard traffic control signs, as specified by the Regional Director - Highways.
40. The permittee shall provide offstreet parking in the amount of 2 spaces and turnaround
41. This permission is subject to compliance with the conditions of approval stated in the Public Works (Canada)
letter to the permittee dated _____
42. The layout shown on the attached drawing is a condition of this permit, and any change in layout without the prior consent in writing of the Regional Director - Highways shall render the permit void.
43. This permit does not provide licencing and insurance and/or oversize, overweight-authorization for a commercial vehicle to access a provincial highway from an industrial road. Commercial vehicle operators require authority pursuant to

section 8 of the *Commercial Transport Act, R.S.B.C. 1996*, and should contact a provincial weigh scale to obtain permit MV4000 (Highway Crossing Permit).

Dated at Victoria, British Columbia

this 29th day of March, 2001



John Bodnarchuk, District Highways Manager

For Minister of Transportation and Highways

s22

Date: Oct. 2/00
Re: 1917 W. SHANICAN LAKE RD.
To: MINISTRY OF TRANSPORTATION & HIGHWAYS
SOUTH ISLAND DISTRICT
DEVELOPMENT APPROVALS
Attn: ROSS DEVEAU
cc: _____

- ☐ Memo
☐ Courier
☐ Mail
☐ Pick-up
☐ _____

☒ Fax 952-4508

TOTAL PAGES 6
(Including this cover page).

If you do not receive all the pages
please notify us immediately.

- ☐ For Your Review
☐ Reply By _____
☐ As Requested
☐ For Pricing By _____
☐ For Your Comments
☐ _____

MESSAGE :

FIND ATTACHED COMPLETED APPLICATION FORMS.
SHOULD THERE BE ANY QUESTIONS, YOU MAY REACH
ME AT THE NUMBERS NOTED HEREIN.

s22

From: _____ s22

s22

RECEIVED
02/2000

MINISTRY OF TRANSPORTATION
AND HIGHWAYS
SOUTH ISLAND DISTRICT

Ministry of
Transportation
and Highways

District File No. 20125

Road
Set 20130
20129**APPLICATION FOR PERMISSION TO CONSTRUCT WORKS WITHIN HIGHWAY
RIGHT-OF-WAY FOR THE PURPOSE OF PROVIDING ACCESS TO A HIGHWAY**

I (We) hereby apply for permission to construct, use, and maintain access works within the right-of-way of a highway in accordance with the particulars, plan, and specifications submitted herewith. I (We) understand that the submission of this form constitutes an application only and the works may not be commenced unless and until a permit is received. (In the case of an access already installed, but not covered by a permit, this application is still required in order to authorize use of same.)

The full legal description of the property to be served is (1) LOT 5, SHANNICAN LAKE
SUBURBAN LOTS, MALAHOT DISTRICT, PLAN 9271

(I attach a sketch-plan showing the information required by Form H-20D)

Civic address, if applicable: 1917 WEST SHANNICAN LAKE ROAD
(Ld #2720) (Ld #609)

The name of the highway is WEST SHANNICAN LAKE ROAD & JENSEN ROAD

The property is located approximately 10 km N/S/E/W. of community of SHANNICAN LAKE VILLAGE
and the requested access is on the N/S/E/W. side of the highway.

ONE (Please see notes below for guidance.)

I/We request access at (2) FREE location(s), as shown on the accompanying sketch-plan.

The intended land use is (3) RESIDENTIAL / RECREATIONAL

The intended land use permitted by zoning (3a) RESIDENTIAL

and the size and scope of the operation is (4)

RECEIVED
OCT-02-2000

The access is required for a period of (5) ONE MONTH Indefinite MINISTRY OF TRANSPORTATION
AND HIGHWAYS
SOUTH ISLAND DISTRICT

I am / We are the registered owner or lessee of the above-described property.

Signed:..

Date: OCT 2/2000

Name and address: (Block capitals)

Postal Code ..

Telephone: ..

I/We wish to have the access permit issued in the name of (6) ..

Mailing Address: ..

Postal Code: ..

Notes

- (1) Property description must have highway frontage.
- (2) Insert number of accesses requested.
- (3) Insert specific kind use proposed (for example, single-family dwelling, farm, motel and restaurant, service-station, furniture factory, etc.).
- (3a) Indicate the permitted uses for the existing zoning on the property. This can be obtained from your local government.
- (4) Insert figures indicating number of dwelling units, square metres of floor area of buildings, sleeping units, employees, seats in restaurant, etc.
- (5) (a) Insert the word "indefinite" if required for long-term use; or
(b) Insert the specific number of months or years if required for temporary period.
- (6) (a) Insert "myself" or "ourselves" if required by owner or lessee; or
(b) Insert name and address of person or company who will actually develop the property and construct, use and maintain the access works.
(If required by other party (for example, property is under option and owner proposes to sell or lease same); or
(c) If access required for land beyond, give name of owner(s) and legal description of parcel involved.

The personal information on this form is collected under the authority of the Highway Act. The information collected will be used to process your application for permission to construct, use and maintain works within the limits of a highway right-of-way. If you have any questions about the collection, use and disclosure of this information, contact the local Ministry of Transportation and Highways District Development Technician.

H02205 (1998/04)

09/29/2000 FRI 07:38 [TX/RX NO 9360]

ORRICO & ASSOCIATES
LAND SURVEYING LTD.

1 - 15 CADILLAC AVENUE
VICTORIA, B.C. V8Z 1T3
Tel 475-1515 Fax 475-1516
email: lorrico@vanisle.net
our file: MD-CHAL.CO

SURVEYOR'S LOCATION CERTIFICATE UPON

LOT 5, SHAWNIGAN LAKE SUBURBAN LOTS,
MALAHAT DISTRICT, PLAN 9271.

Owner: CHALECKI

I have examined the residential premises shown and hereby certify that the said structure is situate with respect to nearby boundaries as shown. This document is prepared for building inspection or mortgage purposes only and is not valid unless originally signed and sealed.

© 2000 Leonard Orrico, BCLS.

Field survey dated this 26th day of May, 2000.

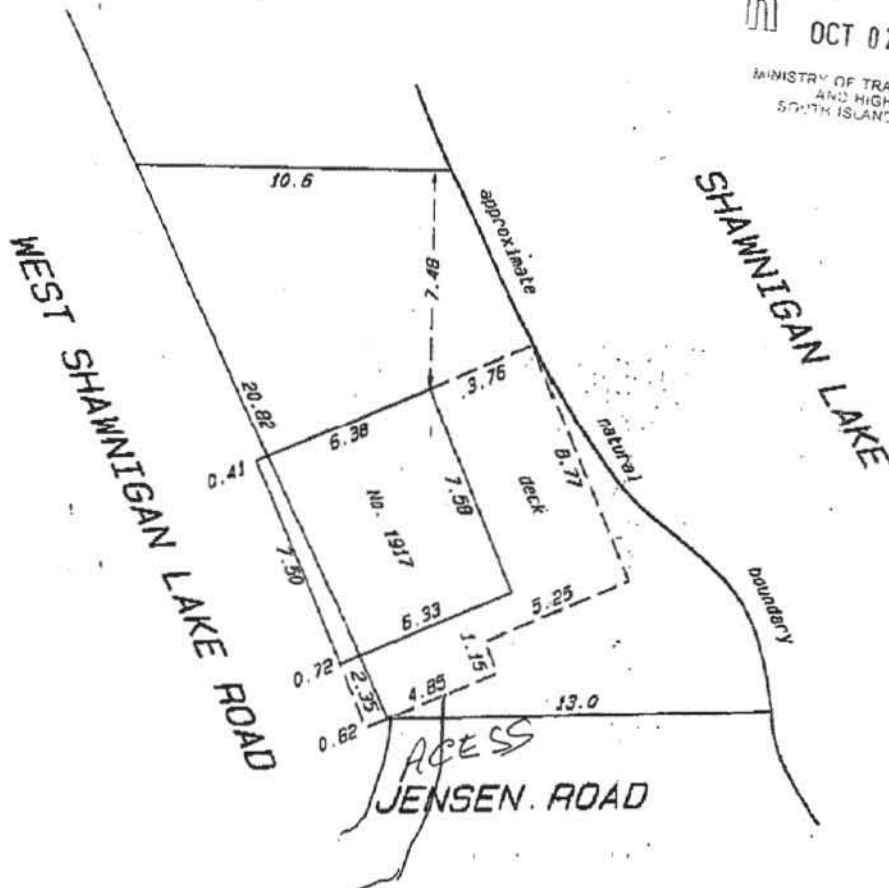
NOTE :

Dimensions shown are based upon field survey and may vary from those registered.

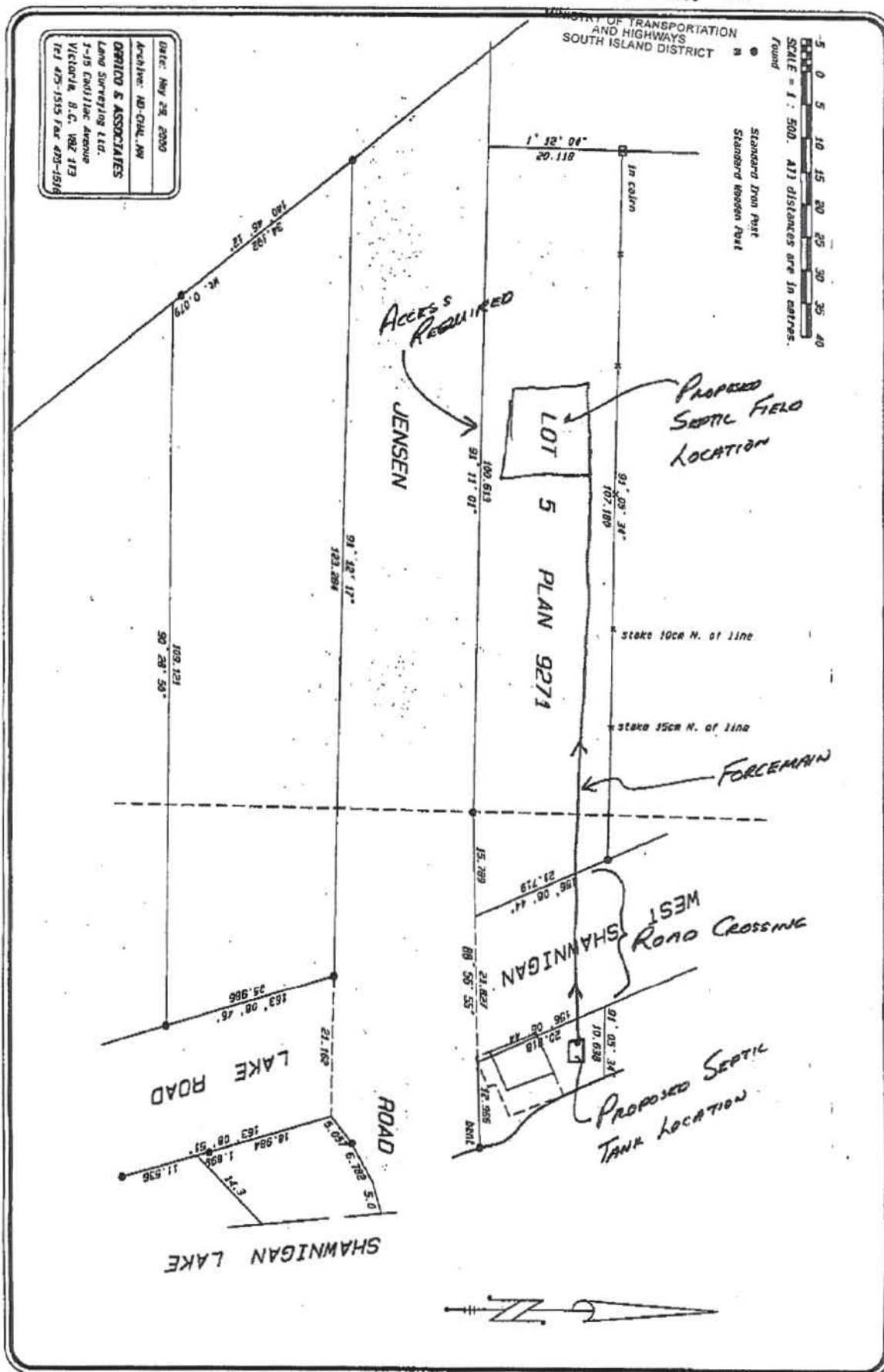


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OCT 02 2000

MINISTRY OF TRANSPORTATION
AND HIGHWAYS
SOUTH ISLAND DISTRICT



RECEIVED
OCT 02 2000



P

Province of British Columbia

Ministry of Transportation and Highways

South Island District

The Minister of Transportation and Highways has approved, subject as to the conditions as set out in this permit, the construction of a building, the location of which does not conform with B.C. Regulation 822/74 make pursuant to section 39 (1) of the Highway Act, R.S.B.C. 1979, namely:

Standard wood frame dwelling 0.41 metres, 0.72 metres and 0.88 metres onto the right-of-way of West Shawnigan Lake Road, the location being Lot 5, Shawnigan Lake Suburban Lots, Malahat Land District, Plan 927.

This permit may be terminated at any time at the discretion of the Minister of Transportation and Highways, and that the termination of this permit shall not give rise to any cause of action or claim of any nature whatsoever.

This permit in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, including zoning, and other land use bylaws of a municipality or regional district.

for MHA Donald Oyp. Tech
John Bodnarchuk, District Highways Manager
for Deputy Minister of Transportation and Highways

1 December, 2000

Date

Chris Chalecki

s22

H.21D (Rev.85/01)

s22

Date: OCT. 18/00
Re: 1917 W. SHANNON LANE RD.
To: MOTH
Attn: ROSS DEVERA
cc:

- ☐ Memo
- ☐ Courier
- ☐ Mail
- ☐ Pick-up
- ☐

☒ Fax 952-4508

TOTAL PAGES 3
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If you do not receive all the pages,
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- ☐ For Your Review
- ☐ Reply By _____
- ☒ As Requested
- ☐ For Pricing By _____
- ☐ For Your Comments
- ☐

MESSAGE:

PER YOUR REQUEST, FIND ATTACHED COPY OF PROOF
OF LIABILITY INSURANCE.
SHOULD THERE BE ANYTHING ELSE, PLEASE DO NOT
HESSITATE TO CONTACT ME.

s22

From:

s22

CEIVED

OCT 18 2000

MINISTRY OF TRANSPORTATION
AND HIGHWAYS
SOUTH ISLAND DISTRICT

s22

Pages 33 through 34 redacted for the following reasons:

s22

BRITISH
COLUMBIAMinistry of
Transportation
and Highways

District File Number

20129

APPLICATION FOR PERMISSION TO HAVE, PLACE, OR CONSTRUCT A STRUCTURE ^{Net}
WITHIN THE SETBACK LIMITATIONS SPECIFIED BY B.C. REGULATION 174/70 ²⁰¹²⁵
²⁰¹³⁰

The personal information on this form is collected under the authority of the Highway Act. The information collected will be used to process your application. If you have any questions about the collection, use and disclosure of this information, contact the Ministry of Transportation and Highways District Development Technician.

I (We) hereby apply for permission to have, place, or construct a structure within the limitations specified in B.C. Regulation 174/70 in accordance with Section 39(1) of the Highway Act R.S.B.C. 1996.

Size and type of structure

11.05 m x 10.14 m CABIN COMPLETE WITH OPEN DOCK SURROUNDING
EAST & THE SOUTH SIDES

Reason relief is required

EXISTING STRUCTURE, CONSTRUCTED IN ± 1950, IS OVER PROPERTY
LINE OF WEST SHAWNIGAN LAKE ROAD RIGHT OF WAY BY 0.82 m
@ SW CORNER AND 0.41 m @ NW CORNER.
(SEE ATTACHED SURVEY)

The structure is to be located no closer than _____ metres from the boundary of

1917 WEST SHAWNIGAN LAKE ROAD (road/street name) as shown on the attached site
plan prepared by ORRICO & ASSOCIATES and dated MAY 26, 2000

Legal description

LOT 5, SHAWNIGAN LAKE SUBURBAN LOTS, MALANET
DISTRICT, PLAN 9271

Civic Address of works 1917 WEST SHAWNIGAN LAKE ROAD

It is understood that completion of this form constitutes an application only and that any permit issued by the Ministry will not relieve the applicant from complying with the provisions of other applicable legislation and bylaws.

Name of applicant(s) _____ s22
(please print) _____

Mailing Address (include postal code)

_____ s22

Postal Code

s22

Telephone

s22

Ans.
Fax

Fax

s22

s22

2000 OCT 02
Date (yyy/mm/dd)

* See Notes on back

H0020e (1999/10)

Page 1 of 2
MINISTRY OF TRANSPORTATION
AND HIGHWAYS
SOUTH ISLAND DISTRICT

09/29/2000 FRI 07:38 [TX/RX NO 9360]

ORRICO & ASSOCIATES LAND SURVEYING LTD.

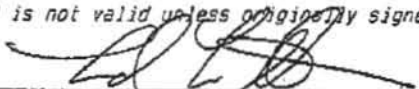
1 - 15 CADILLAC AVENUE
VICTORIA, B.C. V8Z 1T3
Tel 475-1515 Fax 475-1516
email: lorricon@vanisla.net
our file: MD-CHAL.CO

SURVEYOR'S LOCATION CERTIFICATE UPON

LOT 5, SHAWNIGAN LAKE SUBURBAN LOTS,
MALAHAT DISTRICT, PLAN 9271.

Owner: CHALECKI

I have examined the residential premises shown
and hereby certify that the said structure is situate with
respect to nearby boundaries as shown. This document is
prepared for building inspection or mortgage purposes only
and is not valid unless originally signed and sealed.



© 2000 Leonard Orrico, BCLS.

Field survey dated this 26th day of May, 2000.

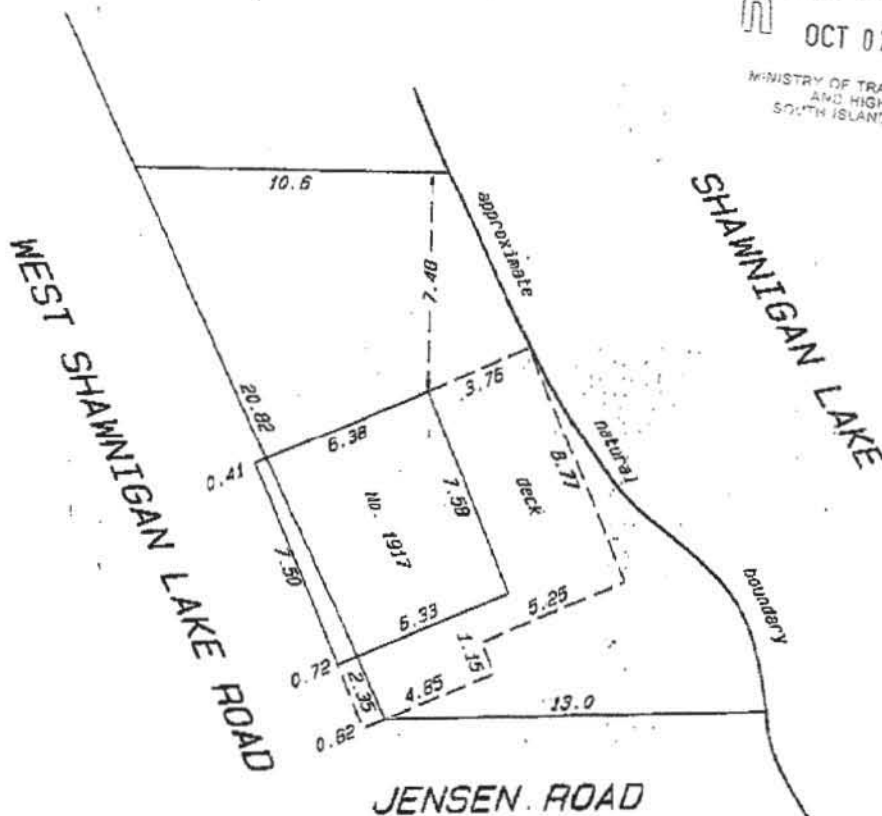
NOTE:

Dimensions shown are based upon field survey
and may vary from those registered.



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MINISTRY OF TRANSPORTATION
AND HIGHWAYS
SOUTH ISLAND DISTRICT

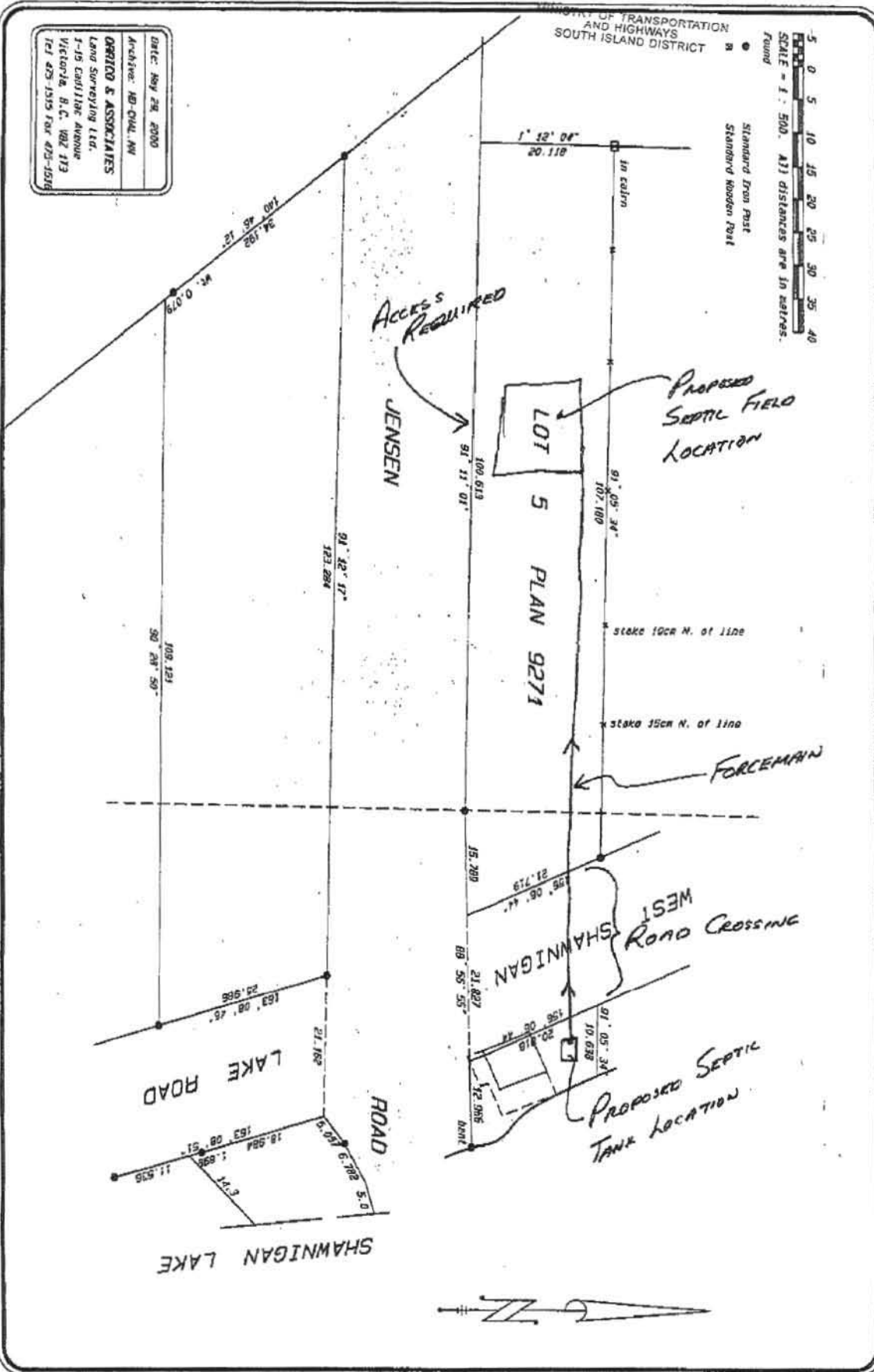


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OCT 02 2000

DATE: May 29, 2000
Architect: MB-Civil, Inc.
OFFICE & ASSOCIATES
LAND SURVEYING LTD.
7-15 CASTLE AVENUE
VICTORIA, B.C. V8W 1J3
Tel 475-1315 Fax 475-1516

MINISTRY OF TRANSPORTATION
AND HIGHWAYS
SOUTH ISLAND DISTRICT

Found
SCALE = 1 : 500. All distances are in metres.
Standard Iron Post
Standard Wooden Post



PERMISSION TO CONSTRUCT WORKS WITHIN CROWN LAND

The works comprising of the construction and maintenance of an underground septic force main across the right-of-way of West Shawnigan Lake Road, to serve Lot 5, Shawnigan Lake Suburban Lots, Malahat District, Plan 9271, as shown on sketch submitted with application dated October 2, 2000.

SEE ATTACHED CLAUSE SHEET

are hereby approved in so far as they relate to the use of Crown lands, interference with public works, or other matter under the jurisdiction of the Minister of Transportation and Highways, and permission to construct, use, and maintain the said work is hereby granted to Chris Chalecki, s22

The said approval and permission to construct, use, and maintain works is, however, at all times subject to the following conditions:

1. That the construction and maintenance of the said works is carried out to the satisfaction of the Regional Director, Highways.
2. That, before opening up any highway or interfering with any public work, intimation in writing of the intention to do so must be given to the District Official at least seven clear days before the work is begun.
3. That any person appointed to the Regional Director, Highways, for the purpose shall have free access to all parts of the works for the purpose of inspecting the same.
4. That the construction of the said works shall be commenced on or before the 8th day of June, 2001 and shall be prosecuted with due diligence and to the satisfaction of the Regional Director, Highways, and shall be completed on or before the 8th day of September, 2001
5. (a) The highway must at all times be kept open to traffic. The roadway must be completely restored for traffic as soon as possible. At all times the permittee must safeguard the traveling public.
(b) That, unless with the consent of the Regional Director, Highways, no more than forty-five (45) metres of pipe-track or other excavation in any public highway is to be kept open at one time.
(c) All trenches and excavations shall be shored, if necessary, according to the Workers' Compensation requirements. Care shall be taken to protect adjacent property.
(d) That all excavations shall be carefully back-filled with suitable material, which is to be tamped into place, and that the permittee shall restore the surface of the road and shoulders and ditches at his own expense. All surplus material is to be removed from the Provincial Crown lands, or deposited where and as required by the District Official of the Ministry of Transportation and Highways. The permittee is financially responsible for any maintenance works required on said ditch for a period of one year. The Ministry will carry out the necessary remedial work and invoice the permittee monthly.
(e) The pipeline crossing installation is to be placed by drilling and (or) jacking in such a manner as to afford minimum grade settlement. No water jetting will be permitted. That where, in the opinion of the District Official, an excavation or opening for a pipeline crossing installation could be made which would not be detrimental to the highway or its users, permission will be granted for said works. On thoroughways, freeways, and main highways no open cuts will be allowed.
(f) That all pipelines in excess of a nominal diameter of 5 cm., whether gas, oil, water, pressure sewers, conduits, etc., shall be installed where indicated by the District Official, encased in a steel casing-pipe or conduit-pipe of sufficient strength to withstand all stresses and strains resulting from the location, such casing to extend the full width of the highway right-of-way if deemed necessary to the District Official. The ends of the casing-pipe shall be suitably sealed and, if required, properly vented above the ground with vent-pipes not less than 5 cm. in diameter, and extending not less than 1.2 metres above ground surface. Vent-pipes shall be connected 30 cm. from the ends of the casing-pipe, and the top of each vent shall be fitted with a turn-down elbow, properly screened and equipped with identification markers.
All pipelines of non-rigid material, i.e., plastic or copper, of any diameter, shall be cased, or embedded in sand.



The inside diameter of the casing-pipe shall be at least 25 percent larger than the outside diameter of the pipeline. The casing-pipe shall be installed with an even bearing throughout its length, and in such a manner so as to prevent leakage, except through the vents.

The top of the casing-pipe, or the pipeline where casing is not required, shall be located as directed by the District Official, and shall in no case be less than 1.2 metres below the surface of the highway and not less than 75 cm below the highway ditches. Pipelines must not obstruct drainage structures or ditches or interfere with traffic on the highway or with highway maintenance.

6. That where the work for which permission is hereby granted comes in contact with any bridge, culvert, ditch, or other existing work, such existing work must be properly maintained and supported in such manner as not to interfere with its proper function during the construction of the new work, and on the completion of the new work the bridge, culvert, ditch, or other existing work interfered with shall be completely restored to its original good condition.
7. That when necessary all excavations, materials, or other obstructions are to be efficiently fenced, lit, and watched, and at all times every possible precaution is to be taken to ensure the safety of the public.
8. That the person or persons for whom these works are being constructed, or by whom these works are maintained, shall at all times accept full responsibility for any accident that may occur or damage that may be done to any person or property whatsoever caused directly or indirectly by these works, and shall save harmless and keep indemnified the Crown from all claims and demands whatsoever in respect of the works.
9. That the permission herein granted to use and maintain the works is only granted for such times as the land or public work in, upon, or over which the said works are constructed is under the jurisdiction of the Minister of Transportation and Highways. This permission is not to be construed as being granted for all time, and shall not be deemed to vest in the permittee any right, title or interest whatsoever in or to the lands upon which the works are constructed. Should the lands affected at any time be included within that of an incorporated municipality or city, this permission shall become void, unless the works are on a highway duly classified as an arterial or primary highway pursuant to Part III of the *Highway Act*.
10. That after receiving notice in writing of the intention on the part of the Provincial Government to construct, extend, alter, or improve any public work, the person or persons responsible for the maintenance of the works for which permission is hereby granted shall within six weeks move or alter such work at his or their own expense to such new positions or in such manner as may be necessitated by the construction, extension, alteration, or improvement proposed to be carried out by the Provincial Government.
11. That while reasonable care will be taken on the part of the Provincial Government to do as little damage as possible to any private work in the carrying-out of the construction, extension, alterations, improvement, repair, or maintenance of any public work adjacent thereto, the Provincial Government can accept no responsibility for any kind of such damage.
12. That the permission hereby granted to construct, use, and maintain work is granted without prejudice to the provisions of the *Highway Act* and *Ministry of Transportation and Highways Act*, or other Acts governing Crown lands and public works or their use by the public.
13. That this permission shall be in force only during such time as the said works are operated and maintained by the applicants, to the entire satisfaction of the Regional Director, Highways.
14. That the Ministry will not be responsible for grade changes on accesses caused by reconstruction of any Provincial highway.
15. This permit is valid only for the specific works stated herein. Any alterations or additions must be covered by a separate permit.
16. This permit may be canceled, at the discretion of the Minister, without recourse, should the permittee fail to comply with all the terms of the permit. Thirty days' notice will be given before cancellation.
17. When the requirements of the Ministry necessitate use of the said lands for Provincial purposes, at the discretion of the Minister, this permit may be canceled.



18. That these works shall be identified with this permit, number, namely **20130** in a manner satisfactory to the District Official of the Ministry of Transportation and Highways.

Michael Donald Asst. Tech

Ministry of Transportation	Ministry Employee Signature
South Island District Office	(Print Name) <i>Michael Donald</i>
103-4475 Viewmont Avenue	Ministry Employee Title <i>Senior Tech</i>
Victoria, BC V8Z 5K8	For Minister of Transportation
Date <i>June 8, 2001</i>	

RDD/jlk

Ministry of
Transportation
and Highways

District File Number

20130

APPLICATION FOR PERMISSION TO CONSTRUCT WORKS
WITHIN HIGHWAY RIGHT-OF-WAY

I (We) hereby apply for permission to construct, use, and maintain works within the limits of highway right-of-way under the jurisdiction of the Minister of Transportation and Highways, British Columbia, in accordance with the particulars, plans,* and specifications submitted herewith in triplicate. It is understood that the completion of this form constitutes an application only and that the works applied for will not be commenced until a covering permit has been issued. The proposed works consist of and are described as follows:

DESCRIPTION OF WORKS

CONSTRUCT ROAD CROSSING OF UNDERGROUND SEPTIC
FOREMANRECEIVED
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AND HIGHWAYS
SOUTH ISLAND DISTRICT

LOCATION OF WORKS (include civic address)

1917 WEST SHANNIGAN LAKE ROAD

THE FULL LEGAL DESCRIPTION OF THE PROPERTY TO BE SERVED

LOT 5, SHANNIGAN LAKE SUBURBAN LOTS, MALAHAT
DISTRICT, PLAN 9271

ROAD NAME(S)

WEST SHANNIGAN LAKE ROAD

Drawing or sketch number

SKETCH 1

Attached

Have the necessary plans for approval been filed with the proper authorities? (See Note 2 on back)

No

MAILING ADDRESS (include postal code)

10000

s22

10000

10000

Telahhage

s22

Fa

s22

s22

CARIS CHALECKI

Print Name

2000 OCT. 2
Date (yyyy/mm/dd)

* See Note 1 on back

The personal information on this form is collected under the authority of the Highway Act. The information collected will be used to process your application for permission to construct, use and maintain works within the limits of a highway right-of-way. If you have any questions about the collection, use and disclosure of this information, contact the local Ministry of Transportation and Highways District Development Technician.

ORRICO & ASSOCIATES LAND SURVEYING LTD.

1 - 15 CADILLAC AVENUE
VICTORIA, B.C. V8Z 1T3
Tel 475-1515 Fax 475-1516
email: jorrico@vanisle.net
our file: MD-CHAL.CO

SURVEYOR'S LOCATION CERTIFICATE UPON

LOT 5, SHAWNIGAN LAKE SUBURBAN LOTS,
MALAHAT DISTRICT, PLAN 9271.

Owner: CHALECKI

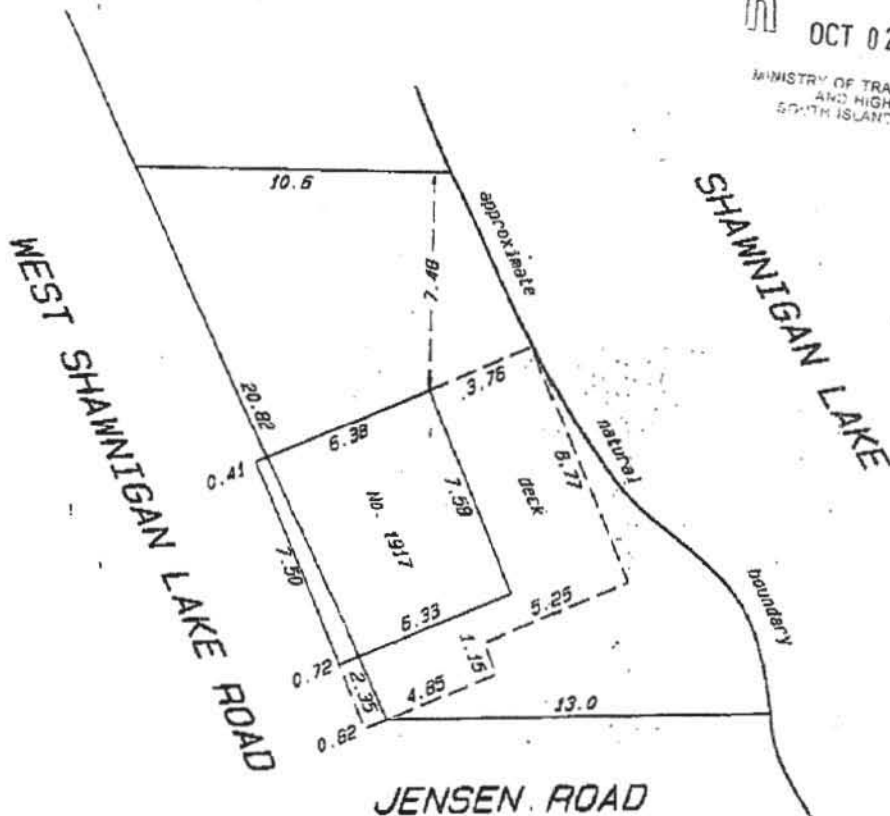
I have examined the residential premises shown
and hereby certify that the said structure is situate with
respect to nearby boundaries as shown. This document is
prepared for building inspection or mortgage purposes only
and is not valid unless originally signed and sealed.

© 2000 Leonard Orrico, BCLS.

Field survey dated this 26th day of May, 2000.

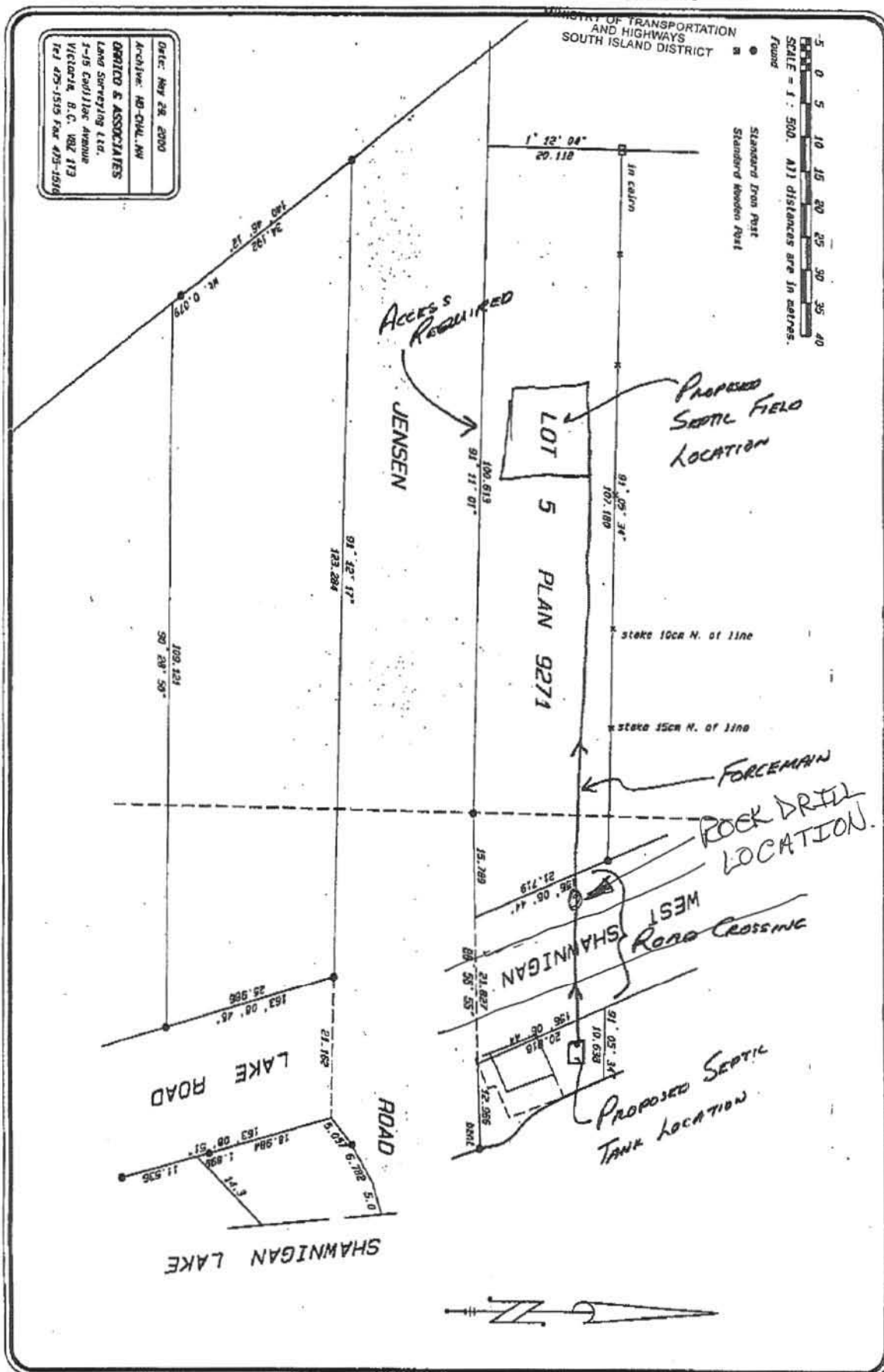
NOTE:

Dimensions shown are based upon field survey
and may vary from those registered.



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AND HIGHWAYS
SOUTH ISLAND DISTRICT

RECEIVED
OCT 02 2000





**PERMISSION TO CONSTRUCT, USE, AND MAINTAIN ACCESS
TO A PROVINCIAL HIGHWAY**

The works comprising of the construction and maintenance of one six metre access from Jensen Road to serve Lot 5, Shawnigan Lake Suburban Lots, Malahat District, Plan 9271 in accordance with sketch and application submitted by Chris Chalecki received April 4th, 2001. All work to be done to the satisfaction of the District Highways Manager.

are hereby approved insofar as they relate to the use of highway right of way, interference with public works, or other matter under the jurisdiction of the Minister of Transportation and Highways, and permission to construct, use, maintain

and operate the said works is hereby granted to:

Chris Chalecki

s22

The said approval and permission to construct, use and maintain the said works is, however, at all times subject to the following conditions:

1. That the construction and maintenance of the said works is carried out to the satisfaction of the Regional Director -- Highways.
2. That any person appointed by the Regional Director - Highways for that purpose shall have free access to all parts of the said works for the purpose of inspecting same.
3. That the construction of the said works shall be commenced on or before the 8th day of June, 2001
and before the 8th day of September, 2001 or this permit is void.
4. That the safety, economy, and convenience of the travelling public must at all times be recognized and all traffic control must be undertaken by the permittee to the satisfaction of the Regional Director - Highways.
5. That where the said works are in the proximity of any bridge, culvert, ditch or other existing work, such work shall be properly maintained and supported in such manner as not to interfere with its proper function, and on the completion of the said works any bridge, culvert, ditch or other existing work interfered with shall be completely restored to its original condition.
6. That the permittee shall at all times accept full responsibility for any accident that may occur or damage that may be done to any person or property whatsoever caused directly or indirectly by the said works, and shall save harmless and keep indemnified the Crown from all claims and demands whatsoever in respect of the works. That, prior to proceeding with any excavation, the permittee will be responsible for notifying any utility company whose works may be close to or affected by the installation.
7. That the permission herein granted to use and maintain the said works is only granted for such time as the land on which the said work is constructed is under the jurisdiction of the Minister of Transportation and Highways.
8. This permission shall not be deemed to vest in the permittee any right, title, or interest whatsoever in or to the lands upon which the works are constructed.
9. This permission is contingent upon the following land use: Single Family Dwelling
Any change in land use shall render the permission void.
10. That should the proposed land use not be instituted within six months of the date of this permit or should it be instituted and subsequently discontinued for a period of 30 days, this permit shall be void.
11. This permission is granted only to the person or corporation named above, and any change in ownership to the property renders this permit void.



12. That while reasonable care will be taken on the part of the Crown to do as little damage as possible to any works authorized by this permit in the carrying-out of the construction, extension, alteration, improvement, repair, maintenance or operation of any public work adjacent thereto, the Crown and its employees accept no responsibility of any kind for such damage.
13. That, after receiving notice in writing of the intention of the Crown to construct, extend, alter, or improve any public works, the permittee shall within 30 days move or alter works authorized by this permit at his own expense to such new position or in such manner as may be necessitated by the construction, extension, alteration, or improvement, and that where such movement of access point or change of grade takes place there shall be no claim against the Crown for damages arising out of the changed access condition.
14. (a) This permit may be cancelled in the absolute discretion of the Minister of Transportation and Highways without any notice of hearing.
(b) This permit may be cancelled by the Regional Director - Highways when alternative access becomes available as a result of the construction of a frontage road or other service road.
15. Any existing access to the property not covered by a valid permit shall be removed within 90 days of the date of this permit.
16. That the access or accesses may be restricted as to allowable movements as traffic safety and flow conditions warrant, and at that time this permit may be cancelled and a new permit issued.
17. Clauses **22, 28, 34, 36 and 40**

as printed or typed overleaf on this permit, shall be deemed to apply and form part of these conditions.

18. This permit cancels and replaces Permit No. _____
19. This property shall not be connected to any other property by private roadway.
20. The access (or accesses) shall be defined to the satisfaction of the Regional Director - Highways by the erection of standard white-painted delineator posts, guard-rail, nonmountable curb, or some other substantial barrier to traffic satisfactory to the Regional Director - Highways.
21. This permit includes permission to construct channelization within the highway right of way as specified by the Regional Director - Highways, and such channelization shall be constructed at the permittee's expense and maintained and operated by the Ministry of Transportation and Highways.
22. The access (or accesses) shall be gravelled to an extent satisfactory to the Regional Director - Highways to prevent the tracking of mud and soil onto the highway surface.
23. The access (or accesses) shall be paved to the satisfaction of the Regional Director - Highways.
24. The highway shoulder between these accesses shall be paved to the satisfaction of the Regional Director - Highways.
25. The finished grade of the access (or accesses) at the ditch-line shall be 15 cm below the highway shoulder elevation.
26. The access (or accesses) shall be restricted to the following movements only _____

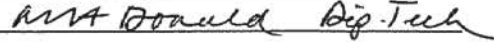
and the permittee shall construct and erect all necessary channelization, signs, and other traffic-control devices at his cost.



27. This permit is temporary and expires the _____
28. The permittee shall be responsible for replacing any survey monuments that may be disturbed or destroyed by construction of the works allowed by this permit. Replacement must be by a British Columbia land surveyor at the permittee's expense.
29. The access (or accesses) will only be open to traffic between the _____
and the _____ each year, and when not open shall be closed with a suitable
barrier and signs.
30. Before commencing construction, intimation in writing of the intention to do so must be given to the District Highways
Manager at least seven days before the work is begun.
31. The access (or accesses) shall be used jointly with the access covered by Permit No. _____ which
serves the property legally described as _____
32. The permittee shall erect a tight board fence or thick evergreen hedge so that no part of the property is visible from the
highway at any point along its frontage at an eye elevation 2.5 m above highway pavement.
33. The access (or accesses) shall be constructed with _____
_____ culvert pipe manufactured to CSA or ASTM standards and
laid at ditch invert elevation. Maintenance and periodic cleaning of this culvert is the responsibility of the permittee.
34. Any mud, soil, debris, or other foreign material tracked onto the highway from the access (or accesses) shall be removed
by the permittee at his expense, at least daily, or at any time the material unduly inconveniences traffic.
35. The access (or accesses) shall be constructed of standard concrete drop curb and sidewalk crossing, to the satisfaction of
the Regional Director - Highways.
36. The profile of the access (or accesses) shall not exceed -2% grade from the ditchline for a distance
of at least 5mm as measured away from the highway along the centreline of the access.
37. The layout shown on permittee's drawing _____
_____ is a condition of this permit and any change in layout without prior consent in writing to the Regional Director -
Highways shall render this permit void.
38. Placing of speed arresters on the access (or accesses) or in the permittee's property without the prior consent in writing of
the Regional Director - Highways shall render the permit void.
39. The permittee shall, at his cost, supply, erect, and maintain standard traffic control signs, as specified by the Regional
Director - Highways.
40. The permittee shall provide offstreet parking in the amount of two spaces and turnaround.
41. This permission is subject to compliance with the conditions of approval stated in the Public Works (Canada)
letter to the permittee dated _____

42. The layout shown on the attached drawing is a condition of this permit, and any change in layout without the prior consent in writing of the Regional Director - Highways shall render the permit void.
43. This permit does not provide licencing and insurance and/or oversize, overweight authorization for a commercial vehicle to access a provincial highway from an industrial road. Commercial vehicle operators require authority pursuant to section 8 of the *Commercial Transport Act, R.S.B.C. 1996*, and should contact a provincial weigh scale to obtain permit MV4000 (Highway Crossing Permit).

RDD/dm

Dated at Victoria, British Columbiathis 8th day of June, 2001

John Bodnarchuk, District Highways Manager

For Minister of Transportation and Highways



Ministry of
Transportation
and Highways

District File No.: 20560

20561

APPLICATION FOR PERMISSION TO CONSTRUCT WORKS WITHIN HIGHWAY RIGHT-OF-WAY FOR THE PURPOSE OF PROVIDING ACCESS TO A HIGHWAY

I (We) hereby apply for permission to construct, use, and maintain access works within the right-of-way of a highway in accordance with the particulars, plan, and specifications submitted herewith. I / We understand that the submission of this form constitutes an application only and the works may not be commenced unless and until a permit is received. (In the case of an access already installed, but not covered by a permit, this application is still required in order to authorize use of same.)

The full legal description of the property to be served is (1) LOT 5, SHAWNIGAN LAKE
SUBURBAN LOTS, MOKAHAT DISTRICT, PLAN 9271

(I attach a sketch-plan showing the information required by Form H-200)

Civic address, if applicable: 1917 WEST SHAWNIGAN LAKE ROAD
(SKETCH 2 ATTACHED)

The name of the highway is: JENSEN ROAD & WEST SHAWNIGAN LAKE ROAD

The property is located approximately 10 km N.E.W. of community of SHAWNIGAN LAKE VILLAGE
and the requested access is on the N.E.W. side of the highway.

(Please see notes below for guidance.)

I / We request access at (2) TWO location(s), as shown on the accompanying sketch-plan.

The intended land use is (3) RESIDENTIAL / RECREATIONAL

The intended land use permitted by zoning (3a) RESIDENTIAL SUBURBAN, R-2

and the size and scope of the operation is (4) ONE DWELLING UNIT OF ± 1200 SF

The access is required for a period of (5) INDEFINITELY

I am / We are the registered owner or lessee of the above-described property.

Signed: CHRIS CHALECKI Date: April 3/01

Name and address: (Block capitals) CHRIS CHALECKI

Postal Code: 22 Telephone: 22

I / We wish to have the access permit issued in the name of (6) CHRIS CHALECKI

Mailing Address: 22

Postal Code: 22

Notes

- (1) Property description must have highway frontage.
- (2) Insert number of accesses requested.
- (3) Insert specific land use proposed (for example, single-family dwelling, farm, motel and restaurant, service station, furniture factory, etc.).
- (3a) Indicate the permitted uses for the zoning on the property. This can be obtained from your local government.
- (4) Insert figures indicating number of dwelling units, square metres of floor area of buildings, sleeping units, employees, seats in restaurant, etc.
- (5) (a) Insert the word "indefinitely" if required for long-term use; or
(b) Insert the specific number of months or years if required for temporary period.
- (6) (a) Insert "myself" or "ourselves" if required by owner or lessee; or
(b) Insert name and address of person or company who will actually develop the property and construct, use and maintain the access works, if required by other party (for example, property is under option and owner proposes to sell or lease same); or
(c) If access required for land beyond, give name of owner(s) and legal description of parcel involved.

The personal information on this form is collected under the authority of the Highway Act. The information collected will be used to process your application for permission to construct, use and maintain works within the limits of a highway right-of-way. If you have any questions about the collection, use and disclosure of this information, contact the local Ministry of Transportation and Highways District Development Technician.

H-200 (9/90)

03/29/2001 THU 09:30 [TX/RX NO 63631]



**PERMISSION TO CONSTRUCT, USE, AND MAINTAIN ACCESS
TO A PROVINCIAL HIGHWAY**

The works comprising of the construction and maintenance of one six metre access from Jensen Road to serve Lot 5, Shawnigan Lake Suburban Lots, Malahat District, Plan 9271 in accordance with sketch and application submitted by Chris Chalecki received April 4th, 2001. All work to be done to the satisfaction of the District Highways Manager.

are hereby approved insofar as they relate to the use of highway right of way, interference with public works, or other matter under the jurisdiction of the Minister of Transportation and Highways, and permission to construct, use, maintain

and operate the said works is hereby granted to:

Chris Chalecki

s22

The said approval and permission to construct, use and maintain the said works is, however, at all times subject to the following conditions:

1. That the construction and maintenance of the said works is carried out to the satisfaction of the Regional Director -- Highways.
2. That any person appointed by the Regional Director - Highways for that purpose shall have free access to all parts of the said works for the purpose of inspecting same.
3. That the construction of the said works shall be commenced on or before the 8th day of June, 2001
and before the 8th day of September, 2001 or this permit is void.
4. That the safety, economy, and convenience of the travelling public must at all times be recognized and all traffic control must be undertaken by the permittee to the satisfaction of the Regional Director - Highways.
5. That where the said works are in the proximity of any bridge, culvert, ditch or other existing work, such work shall be properly maintained and supported in such manner as not to interfere with its proper function, and on the completion of the said works any bridge, culvert, ditch or other existing work interfered with shall be completely restored to its original condition.
6. That the permittee shall at all times accept full responsibility for any accident that may occur or damage that may be done to any person or property whatsoever caused directly or indirectly by the said works, and shall save harmless and keep indemnified the Crown from all claims and demands whatsoever in respect of the works. That, prior to proceeding with any excavation, the permittee will be responsible for notifying any utility company whose works may be close to or affected by the installation.
7. That the permission herein granted to use and maintain the said works is only granted for such time as the land on which the said work is constructed is under the jurisdiction of the Minister of Transportation and Highways.
8. This permission shall not be deemed to vest in the permittee any right, title, or interest whatsoever in or to the lands upon which the works are constructed.
9. This permission is contingent upon the following land use: Single Family Dwelling
Any change in land use shall render the permission void.
10. That should the proposed land use not be instituted within six months of the date of this permit or should it be instituted and subsequently discontinued for a period of 30 days, this permit shall be void.
11. This permission is granted only to the person or corporation named above, and any change in ownership to the property renders this permit void.

12. That while reasonable care will be taken on the part of the Crown to do as little damage as possible to any works authorized by this permit in the carrying-out of the construction, extension, alteration, improvement, repair, maintenance or operation of any public work adjacent thereto, the Crown and its employees accept no responsibility of any kind for such damage.
13. That, after receiving notice in writing of the intention of the Crown to construct, extend, alter, or improve any public works, the permittee shall within 30 days move or alter works authorized by this permit at his own expense to such new position or in such manner as may be necessitated by the construction, extension, alteration, or improvement, and that where such movement of access point or change of grade takes place there shall be no claim against the Crown for damages arising out of the changed access condition.
14. (a) This permit may be cancelled in the absolute discretion of the Minister of Transportation and Highways without any notice of hearing.
(b) This permit may be cancelled by the Regional Director - Highways when alternative access becomes available as a result of the construction of a frontage road or other service road.
15. Any existing access to the property not covered by a valid permit shall be removed within 90 days of the date of this permit.
16. That the access or accesses may be restricted as to allowable movements as traffic safety and flow conditions warrant, and at that time this permit may be cancelled and a new permit issued.
17. Clauses **22, 28, 34, 36 and 40**
as printed or typed overleaf on this permit, shall be deemed to apply and form part of these conditions.
18. This permit cancels and replaces Permit No. _____
19. This property shall not be connected to any other property by private roadway.
20. The access (or accesses) shall be defined to the satisfaction of the Regional Director - Highways by the erection of standard white-painted delineator posts, guard-rail, nonmountable curb, or some other substantial barrier to traffic satisfactory to the Regional Director - Highways.
21. This permit includes permission to construct channelization within the highway right of way as specified by the Regional Director - Highways, and such channelization shall be constructed at the permittee's expense and maintained and operated by the Ministry of Transportation and Highways.
22. The access (or accesses) shall be gravelled to an extent satisfactory to the Regional Director - Highways to prevent the tracking of mud and soil onto the highway surface.
23. The access (or accesses) shall be paved to the satisfaction of the Regional Director - Highways.
24. The highway shoulder between these accesses shall be paved to the satisfaction of the Regional Director - Highways.
25. The finished grade of the access (or accesses) at the ditch-line shall be 15 cm below the highway shoulder elevation.
26. The access (or accesses) shall be restricted to the following movements only _____
and the permittee shall construct and erect all necessary channelization, signs, and other traffic-control devices at his cost.

27. This permit is temporary and expires the _____
28. The permittee shall be responsible for replacing any survey monuments that may be disturbed or destroyed by construction of the works allowed by this permit. Replacement must be by a British Columbia land surveyor at the permittee's expense.
29. The access (or accesses) will only be open to traffic between the _____
and the _____ each year, and when not open shall be closed with a suitable
barrier and signs.
30. Before commencing construction, intimation in writing of the intention to do so must be given to the District Highways Manager at least seven days before the work is begun.
31. The access (or accesses) shall be used jointly with the access covered by Permit No. _____ which
serves the property legally described as _____
32. The permittee shall erect a tight board fence or thick evergreen hedge so that no part of the property is visible from the highway at any point along its frontage at an eye elevation 2.5 m above highway pavement.
33. The access (or accesses) shall be constructed with _____
_____ culvert pipe manufactured to CSA or ASTM standards and
laid at ditch invert elevation. Maintenance and periodic cleaning of this culvert is the responsibility of the permittee.
34. Any mud, soil, debris, or other foreign material tracked onto the highway from the access (or accesses) shall be removed by the permittee at his expense, at least daily, or at any time the material unduly inconveniences traffic.
35. The access (or accesses) shall be constructed of standard concrete drop curb and sidewalk crossing, to the satisfaction of the Regional Director - Highways.
36. The profile of the access (or accesses) shall not exceed -2% grade from the ditchline for a distance
of at least 5mm as measured away from the highway along the centreline of the access.
37. The layout shown on permittee's drawing _____
_____ is a condition of this permit and any change in layout without prior consent in writing to the Regional Director - Highways shall render this permit void.
38. Placing of speed arresters on the access (or accesses) or in the permittee's property without the prior consent in writing of the Regional Director - Highways shall render the permit void.
39. The permittee shall, at his cost, supply, erect, and maintain standard traffic control signs, as specified by the Regional Director - Highways.
40. The permittee shall provide offstreet parking in the amount of two spaces and turnaround.
41. This permission is subject to compliance with the conditions of approval stated in the Public Works (Canada)
letter to the permittee dated _____

42. The layout shown on the attached drawing is a condition of this permit, and any change in layout without the prior consent in writing of the Regional Director - Highways shall render the permit void.
43. This permit does not provide licencing and insurance and/or oversize, overweight authorization for a commercial vehicle to access a provincial highway from an industrial road. Commercial vehicle operators require authority pursuant to section 8 of the *Commercial Transport Act, R.S.B.C. 1996*, and should contact a provincial weigh scale to obtain permit MV4000 (Highway Crossing Permit).

RDD/dm

Dated at Victoria, British Columbiathis 8th day of June, 2001

for John Bodnarchuk, District Highways Manager
For Minister of Transportation and Highways

s22

Date: APRIL 4/01
 Re: 1917 W. SHANNON LK. RD.
 To: MINISTRY OF TRANSPORTATION & HIGHWAYS
SOUTH ISLAND DISTRICT
DEVELOPMENT APPROVALS
 Attn: ROSS DEVERAUX
 CC: _____

- ☐ Memo
☐ Courier
☐ Mail
☐ Pick-up
☐ _____

☒ Fax 952-4508

TOTAL PAGES 5
 (including this cover page).

If you do not receive all the pages,
 please notify us immediately.

- ☐ For Your Review
☐ Reply By _____
☐ As Requested
☐ For Pricing By _____
☐ For Your Comments
☐ _____

MESSAGE:

PLEASE FIND ATTACHED RETURN OF COMPLETED
 APPLICATIONS FOR THE ABOVE NOTED PROPERTY COMPLETE
 WITH SKETCHES. SHOULD YOU REQUIRE ADDITIONAL
 INFORMATION, PLEASE DO NOT HESITATE TO CONTACT
 ME AT THE NUMBERS NOTED BELOW.

s22

RECEIVED
 APR 04 2001

MINISTRY OF TRANSPORTATION
 AND HIGHWAYS
 SOUTH ISLAND DISTRICT

From:

s22

s22

BRITISH
COLUMBIAMinistry of
Transportation
and Highways

District File Number

TRENCH.

20561

APPLICATION FOR PERMISSION TO CONSTRUCT WORKS
WITHIN HIGHWAY RIGHT-OF-WAYXRef
20560

I (We) hereby apply for permission to construct, use, and maintain works within the limits of highway right-of-way under the jurisdiction of the Minister of Transportation and Highways, British Columbia, in accordance with the particulars, plans,* and specifications submitted herewith in triplicate. It is understood that the completion of this form constitutes an application only and that the works applied for will not be commenced until a covering permit has been issued. The proposed works consist of and are described as follows:

DESCRIPTION OF WORKS

CONSTRUCT UNDERGROUND CROSSING ON WEST SHAUNICAN LAKE RD.
FOR PASSING OF SEPTIC FORSEMAIN FROM DWELINE TO SEPTIC FIELD
AND REQUEST PERMISSION TO USE JENSEN ROAD TO ACCESS
AREA OF SEPTIC FIELD CONSTRUCTION.

LOCATION OF WORKS (Include civic address)

1917 WEST SHAUNICAN LAKE ROAD

RECEIVED
APR 04 2001MINISTRY OF TRANSPORTATION
AND HIGHWAYS
SOUTH ISLAND DISTRICT

THE FULL LEGAL DESCRIPTION OF THE PROPERTY TO BE SERVED

LOT 5, SHAUNICAN LAKE SUBURBAN LOTS, MALAHAT
DISTRICT, PLAN 9271

ROAD NAME(S)

WEST SHAUNICAN LAKE ROAD
JENSEN ROAD

Drawing or sketch number

SKETCH 1

Attached

YES

Have the necessary plans for approval been filed with the proper authorities? (See Note 2 on back)

YES

MAILING ADDRESS (Include postal code)

s22

Telephone

s22

Fax

s22

s22

s22

PRINT NAME

01/04/03
Date (yyyy/mm/dd)

* See Note 1 on back

The personal information on this form is collected under the authority of the Highway Act. The information collected will be used to process your application for permission to construct, use and maintain works within the limits of a highway right-of-way. If you have any questions about the collection, use and disclosure of this information, contact the local Ministry of Transportation and Highways District Development Technician.

S22

